



Development Services Department
Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Seattle Boat Float Pier
LOCATION:	3911 Lake Washington Boulevard SE / SE-8-24-5
FILE NUMBERS:	20-104907 WG
PROPONENT:	Alan Bohling
DESCRIPTION OF PROPOSAL: Application for Shoreline Substantial Development Permit approval to remove an existing floating pier with piles, ramp and covered moorage that was destroyed by a winter storm. Remnants of a former breakwater system located within the Mercer Slough Nature Park to the north of the subject site will also be removed and disposed of. After removal, a new 3,536 square foot floating pier structure consisting of steel piles, concrete panels and fiberglass grating, will be installed. A new sewer pump-out station is proposed at the end of the floating pier section and will extend onto DNR property.	

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision.

DATE ISSUED: 10/7/2021

APPEAL DATE: 10/21/2021

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impact (unless a non-exempt license has been issued if the proposal is a private project) or if the DNS was procured by misrepresentation or lack of material disclosure.

Issued By: Elizabeth Stead **for** **Date:** October 7, 2021
Elizabeth Stead, Environmental Coordinator
Development Services Department



City of Bellevue
Development Services Department
Land Use Staff Report

Date of Receipt by Ecology:

**SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

File Number:	20-104907 WG
Proposal Name:	Seattle Boat Float Pier
Proposal Address and Location:	3911 Lake Washington Boulevard SE / SE-8-24-5
Water Body:	Lake Washington
Shoreline Environment Designation:	Recreational Boating
Proposal Description: Shoreline Substantial Development Permit to remove and dispose of an existing floating pier, piles, ramp and covered moorage that was previously damaged. Additionally, remnants of a former breakwater system located within the Mercer Slough Nature Park to the north will be removed and disposed of. After removal, a new 3,536 square foot floating pier structure consisting of steel piles, concrete panels and fiberglass grating will be constructed. A sewer pump-out station is proposed at the end of the floating pier section and will extend onto DNR property.	
Applicant: <input type="checkbox"/> Applicant owns property Troy Hussing, Ecco Design, Inc., 203 N 36 th Street, Seattle, WA 98103, 206-706-3937, troy@eccodesigninc.com	
Applicant Representative: Same as applicant.	
Application Date:	March 17, 2020
Notice of Application Date:	April 16, 2020
Notice of Decision Date:	October 7, 2021

SEPA Determination:

Determination of Non-Significance per

SEPA Appeal Deadline:

October 21, 2021

Elizabeth Stead

Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP:

Approval with Conditions

Michael A. Brennan, Director
Development Service Department

By: *Michael A. Brennan* for
Michael A. Brennan, Director
Development Services Department

The appeal period for a Shoreline Substantial Development Permit is 21 days from the "date of filing" with the Department of Ecology, as defined in RCW 90.58.140(6) and WAC 173-27-130. Appeal of the decision must be made to the Washington State Shoreline Hearings Board.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. This permit approval will expire within two years of the date of filing unless the construction, use, or activity pursuant to this permit is commenced. Final expiration of this permit approval is five years from the date of filing. Request for extension of expiration is subject to LUC 20.25E.250.E.6.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C) (D).

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Attachments:

1. Project Plans
2. No Net Loss of Ecological Function Assessment
3. Biological Assessment
4. SEPA Determination of Non-Significance
5. SEPA Checklist

See project file for all submitted documents, forms, and comments.

I. Proposal Description

Seattle Boat proposes to remove and dispose of an existing floating pier, piles, ramp and covered moorage that was previously destroyed during a snowstorm back in February of 2019. The previous structure consisted of 1,784 square feet of overwater coverage. The pier will be replaced with a new 3,536 square foot pier, float structure and ramp. Remnants of a derelict breakwater structure located just north of the marina will also be removed and disposed of, consisting of approximately 1,504 square feet of overwater coverage. The new pier will provide 16, 35-to-38-foot moorage slips along with a sewer pumpout station proposed at the end of the floating pier section that extends into DNR property. **See Attachment 1 for project plans and Figure 1 & 2 below for the proposed floating pier.**

Figure 1 – Project Plans

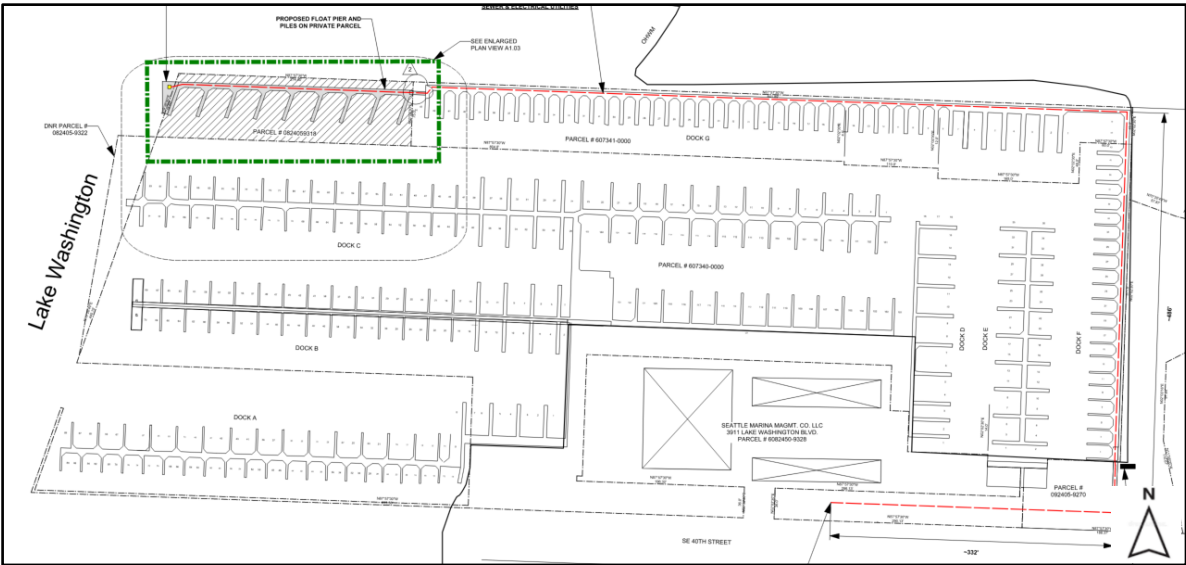
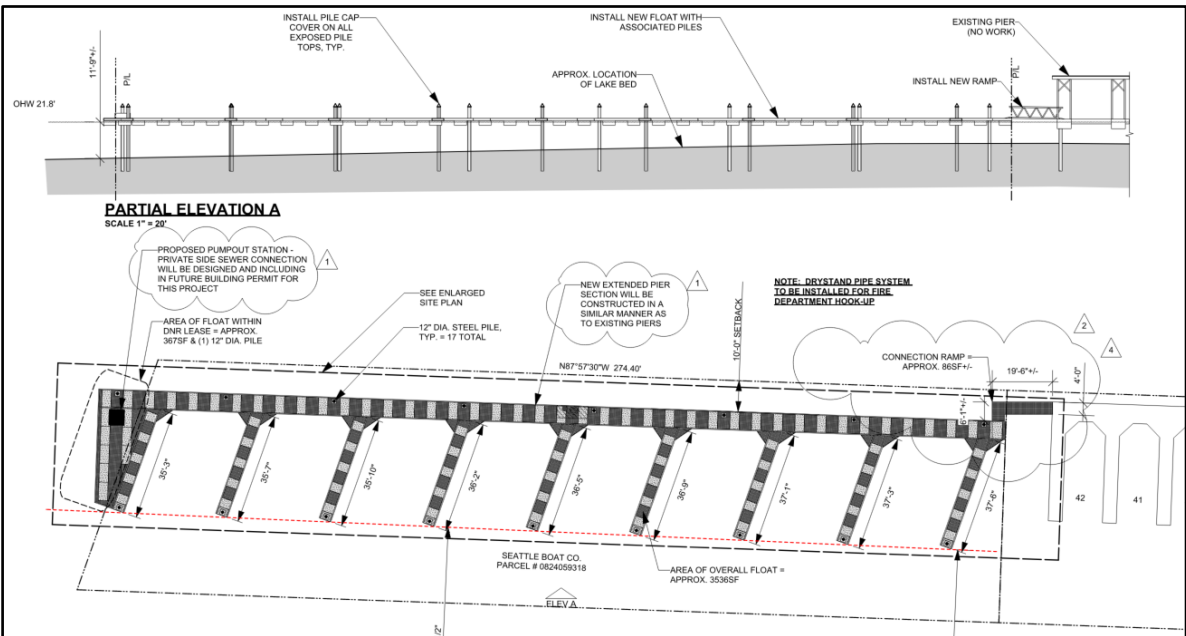


Figure 2 – Site Plan & Elevation



The proposed project is subject to the Shoreline Substantial Development Permit and SEPA requirements because the proposed work is within a shoreline of statewide significance. The total cost of the proposed work to install the new pier exceeds the threshold allowance of \$7,047 granted in Bellevue Land Use Code (LUC) 20.25E.170.C.1, and therefore requires review through a Shoreline Substantial Development Permit. The provisions of the Shoreline Master Program (Shoreline Management Element of the Comprehensive Plan and LUC 20.25E) apply.

II. Site Description, Zoning, Land Use, Shoreline Environment, and Functions

A. Site Description and Land Use Context

The subject site is located on Lake Washington in the Newport subarea. The proposed pier will be located on a parcel abutting the Newport Yacht Basin Marina. The Newport Yacht Basin is a private marina with approximately 416 privately owned and leased boat slips. Access to the subject parcel will be via a private access agreement between the property owner and Newport Yacht Basin association. Mercer Slough Nature Park is located north of the property. A Native Growth Protection Area (NGPA) tract and a parcel with boat storage use are located east, upland of the property. A public boat launch and the SE 40th Street boat ramp are located south of the property. **See Figure 3 Aerial Photo Below.**

Figure 3 – Aerial of Site & Overall Marina



B. Zoning

The property is zoned R-2.5 and is located within the Shoreline Overlay District per LUC 20.25E. The Shoreline Environment Designation for the property is Recreational Boating. Properties in the vicinity are also within the R-2.5 zoning district but are within the Shoreline Residential Environment. **See Figure 3 below for zoning and Figure 4 for shoreline designation.**

Figure 3 – Zoning

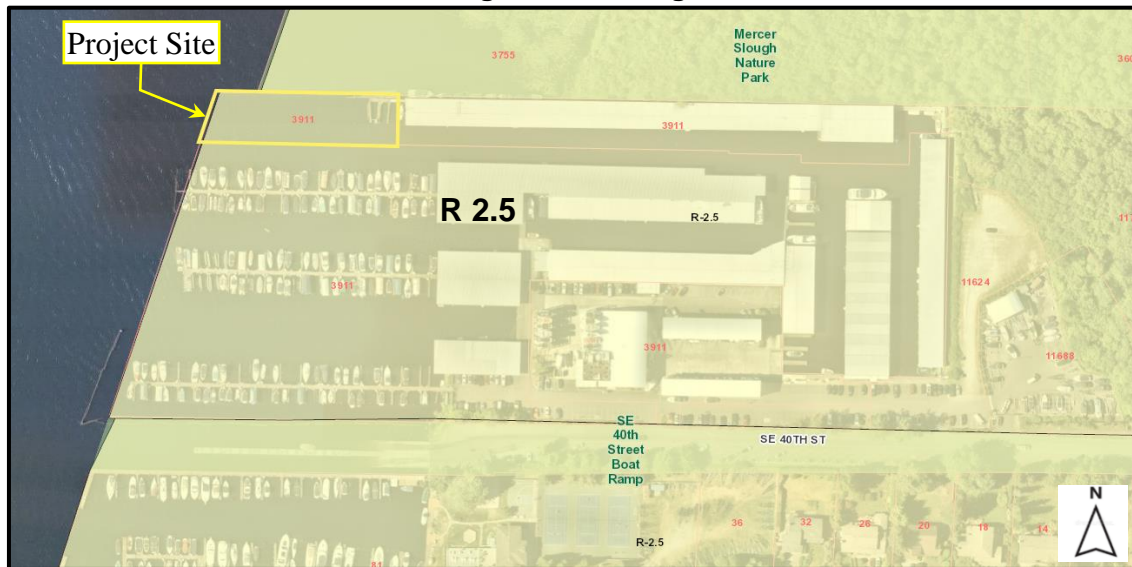
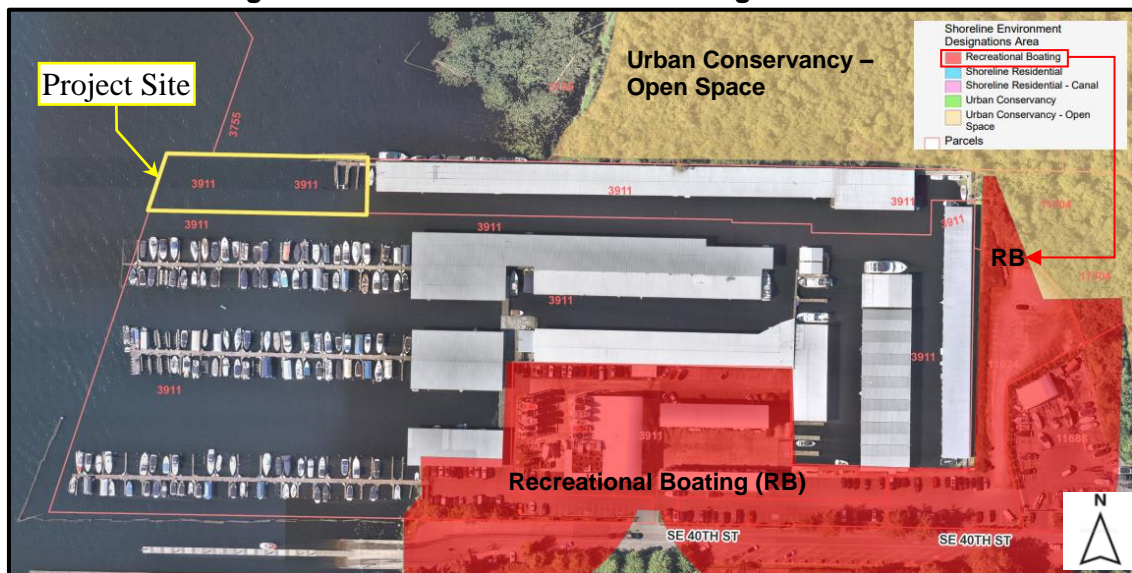


Figure 4 – Shoreline Environment Designations Area



C. Shoreline Environment & Functions

i. Shoreline Environment and Functions

The site is in the Recreational Boating (RB) shoreline environment designation. Per LUC 20.25E.010, the recreational boating environment is to provide a variety of water-dependent and water-oriented uses, with primary focus on activities associated with recreation. The RB environment should not support heavy commercial or industrial uses, other than limited commercial activities conducted accessory to a marina use.

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others.

Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

III. Consistency with Land Use Code (LUC) Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-2.5 zoning district. There are no proposed upland structures that are subject to the general dimensional requirements, and zoning district dimensional standards are not applicable to piers.

B. Shoreline Master Program Requirements LUC 20.25E:

1. LUC 20.25E.030 – Shoreline Use Charts

The subject site is located in the Recreational Boating (RB) shoreline environment designation. Expansion of existing marinas are listed as an allowed use in the RB environment with approval of a Shoreline Substantial Development Permit, provided, the proposed expansion is no greater than 20%. Establishment of new uses and expansions of existing uses greater than 20% require approval through the Shoreline Conditional Use process. See LUC 20.25E.030, Recreation Chart.

Finding: As described in the preceding section below, the proposed expansion will not exceed 20% of the marina use and will not exceed 20% of the current pier section to which the expansion is attached; therefore, the proposal is consistent with the use chart and the Shoreline Substantial Development Permit process.

2. LUC 20.25E.070 – Specific use regulations

LUC 20.25E.070.C.1 – Recreation: This section applies to uses and development associated with private marinas, public marinas, yacht clubs, community clubs, private parks, and City parks. For the purposes of this section, these uses are referred to collectively as “recreation facility” or “recreation facilities.”

LUC 20.25E.070.C.2. General Requirements Applicable to All Recreation Facilities:

- b. Minor Expansions. Minor expansion of existing recreational facilities is allowed. “Minor expansion” includes enlargement of gross square footage, impervious surfaces, permanent disturbance, structural lot coverage, or overwater coverage associated with the recreation facility, individually or in combination, by not more than 20% within a 5-year period. Improvements not meeting the definition of routine maintenance and repair, or minor expansion shall be processed as a new or expanded recreational facilities.

Finding: The proposed new floating pier system qualifies as a “minor expansion” of an existing recreational facility. The new pier will expand the overwater coverage associated with the existing recreational facility by less than 20% within a 5-year period. The existing marina site, which consists of multiple pier and float sections, has an overall

square footage of 432,029.49 square feet (See Appendix C of No Net Loss of Ecological Function Assessment). The proposed pier constitutes only a 1% increase in overwater coverage.

Furthermore, the new pier will be added onto the existing pier section located on the abutting east parcel (parcel #6073410000), which is 21,461.74 square feet. The new pier overwater coverage comes to about 17% of the existing pier section.

3. LUC 20.25E.080 – Shoreline Modification

LUC 20.25E.080.E.3: General Requirements Applicable to all nonresidential Moorage Facilities, Boat Ramps and Launches.

- a. New skirting and covered moorage, including boatlift canopies, are prohibited.
- b. Minimum Necessary. Maintenance and repair shall be the minimum necessary to restore the facility to its original design, function, and capacity.
- c. Construction Materials. Use environmentally neutral materials, not materials treated with known toxic preservatives, approved by the Environmental Protection Agency for use in aquatic environments. Dock materials shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds. If (ammoniacal copper zinc arsenate) (ACZA) materials are proposed, the applicant will meet all of the best management practices, including a post-treatment procedure, as outlined in the amended Best Management Practices of the Western Wood Preservers. Preservative and surface treatments are limited to products approved for use in aquatic environments and must be applied according to label directions. Construction hardware that comes into contact with water either directly or through precipitation and that discharges either directly or indirectly into surface waters shall not be susceptible to dissolution by corrosion.

Finding: No new skirting, covered moorage or canopies are proposed. The minor expansion is designed to be the minimum necessary to accommodate the vessel moorage and will meet all City, State and Federal regulations. The proposed construction materials will use environmentally neutral materials. The float surface decking will be 50% pre-stressed concrete decking and 50% fiberglass grating. Polyethylene foam filled tub floatation will serve as the floats for the pier and all piles will be steel. **See section IX of this report for Conditions of Approval regarding building permit submittal.**

LUC 20.25E.080.E.4.c: New or Expanded Nonresidential Moorage Facilities – Design Criteria. Design and siting of new or expanded nonresidential moorage facilities shall address, at a minimum, the following criteria:

- i. Facilities should be designed to avoid dredging to establish new moorage, and the need for maintenance dredging consistent with subsection D of this section.
- ii. Facilities should be designed to avoid impacts to shoreline ecological functions through consideration of water depth, water circulation, sediment inputs and accumulation, and wave action.
- iii. Facilities should be located to avoid impacts to shoreline ecological functions through avoidance of submerged aquatic vegetation, shoreline-associated wetlands, or habitat associated with species of local importance.
- iv. Facilities shall be designed to minimize overwater coverage and be the minimum size necessary to provide the desired moorage function when considering the beam

- and draft of the type of boat anticipated to be moored. Preference shall be given to designs that provide two berths per finger pier.
- v. The ability of the site upland from the ordinary high water mark to accommodate the necessary support facilities.
 - vi. The use of mooring buoys to accommodate additional moorage.
 - x. Utilities and Services. Utility and service lines serving docks and piers should be located below the pier deck and out of the water.

Finding: The proposal does not include dredging. The expanded nonresidential moorage facility will have a depth of 7'-0" to 11'-9" to accommodate the vessels that will moor within the moorage slip width and length. The applicant has designed the proposed expansion with ecological functions taken into consideration and includes proposed mitigation measures to reduce the net overwater coverage. The design also minimizes overwater coverage and the moorage slip size to maintain open areas between pier structures and allows for continued water circulation and wave action that occurs from the boat traffic.

The proposal is an expansion of the existing marina and all upland existing facilities are in place to accommodate the expansion. Utilities will run within conduits below the grated decking and a new public sewer pump-out station is proposed at the end of the pier, which is located within DNR property. The Biological Assessment and No Net Loss reports (Attachment 2 & 3), prepared by Northwest Environmental Consulting, LLC, provides details regarding the shoreline habitat and cleanup of the derelict debris within the Mercer Slough Park.

LUC 20.25E.080.4.d: New and Expanded Nonresidential Moorage Facilities – Performance Standards. The following use-specific performance standards apply:

- iii. Setbacks for Facilities. Moorage facilities constructed with an external dock perimeter where access to public waters is provided through a central point on the waterward end of the facility shall provide a minimum 10-foot setback from property line projections. Moorage facilities constructed with an open-sided design where access to moorage is taken directly from public waters shall provide a minimum of 50 feet of setback from property line projections.
- iv. Dock and Pier Access. Docks and piers shall be accessed from upland support areas through a ramp or gangway and walkway system with the first set of finger piers (ells) located at a depth of 9 feet or greater. Facilities for human-powered vessel launching and moorage may be located in depths of less than 9 feet.
- v. The width and length of all structures shall be limited to what is reasonable for the intended use; provided, that:
 - (1) Walkways shall not exceed eight feet in width;
 - (2) Ells shall not exceed four feet in width; and
 - (3) Ramps and gangways shall not exceed six feet in width.
- vi. Docks, ramps, piers, and walkways shall be grated or surfaced with light-penetrable materials. To the extent feasible, structures shall be designed to minimize overwater coverage and avoid shading of aquatic vegetation.
- vii. Impacts to shoreline ecological functions shall be minimized through avoidance of submerged aquatic vegetation, shoreline associated wetlands, and nesting and

- spawning areas.
- ix. Docks shall be designed with piers and other structures placed to facilitate, rather than to obstruct, water circulation. Basins shall be designed to prevent stagnant water that tends to collect debris or cause shoaling or flushing problems.
 - x. Moorage facilities shall be designed to protect against wakes caused by vessel traffic without the need for a breakwater.
 - xi. Lighting and Safety. Design shall include adequate safety features and be designed to facilitate emergency response, including, but not limited to the following:
 - (1) Design and locate facility security gates and walkways maximizing emergency access to the water and minimizing blockage of the view from the shore. Walkway access locations should be in close proximity to facility loading and short-term parking areas;
 - (2) Design and locate lighting to illuminate walkways during the evening hours. Walkway lighting should be flush mounted to the dock surface or screened to avoid spillover light emissions;
 - (3) Locate flotation devices in designated areas at regular intervals throughout the nonresidential moorage facility to ensure the safety of facility users;
 - (4) Include adequate fire safety apparatus, including dock surface markings and reflectors at intervals and locations specified by the City's Fire Department; and
 - (5) Mark the facility with reflectors or other measures to prevent unnecessarily hazardous conditions for water surface users during the day or night.
 - xii. Interference with Other Uses. Facilities shall not interfere with the public use and enjoyment of the water or create a hazard to navigation.
 - xiii. Public access shall be provided in accordance with LUC 20.25E.060.I (Public Access).
 - xvi. Waste Services. At the minimum, facilities shall provide the following waste services:
 - (1) One marine pump-out facility for use by the general boating public. This facility must be clearly marked for public use; and
 - (2) Each moorage segment shall include a solid waste collection facility, including, but not limited to, maintenance waste, recycling and garbage.

Finding: The plans demonstrate the proposed new floating pier expansion will comply with the 10-foot setback from the north property line that abuts the Mercer Slough Nature Park. The proposed floating pier will be attached to an existing pier section of the marina located east of the subject site. The abutting piers are located on parcel #6073410000 and 6073400000, which are owned by the Newport Yacht Basin Association (NYBA). The president of NYBA has provided comment stating that Seattle Boat (applicant) has not been granted access rights to traverse NYBA docks in order to access the new floating pier. NYBA has provided a statement in writing that easement rights are being worked out and that NYBA does not have any concerns with the proposed Shoreline Substantial Development Permit. The applicant will be required to secure all access rights across other properties prior to the issuance the building permit to construct the proposed pier. **See Section IX for Conditions of Approval related to parcel access.**

The plans demonstrate the proposed new floating pier expansion will comply with the dimensional standards for nonresidential piers. The connection ramp is proposed at 4 feet in width, the walkway is proposed at 6 feet in width, and the slip walkways are proposed at 4 feet in width. The pier will be comprised of 50% pre-stressed concrete

(over each tub floatation) and 50% fiberglass grating (between each tub floatation). Each grated surface will be 69% open to provide for light penetration. Lighting is proposed within the proposed electrical pedestals and must comply with lighting standards at time of building permit review. **See section IX of this report for Conditions of Approval regarding building permit submittal.**

The Biological Assessment and Ecological No Net Loss Assessment Report, prepared by Northwest Environmental Consulting LLC, provides documentation that the proposed floating pier system has been designed to minimize overwater coverage and impacts to shoreline ecological functions. The removal of the existing covered pier and moorage removes 1,784 square feet of overwater. See Figure 6 below for image of the covered pier in 2018 before it was destroyed. The remnants of an existing derelict breakwater structure will be removed from the Mercer Slough Nature Park to the north as mitigation and removes 1,504 square feet of overwater coverage. See Figure 6 below of the remnants of the breakwater structure. The total overwater coverage to be removed is 3,288 square feet.

Figure 6 – 2018 Aerial Image



The new floating pier and ramp will have an overwater coverage of 3,613 square feet, resulting in a net increase of 325 square feet. The propose floating pier and ramp will be grated to the extent feasible and provide a reduction of 1,292 square feet in the overwater cover for a total decrease in overwater coverage by 967 square feet. See Table 1 – Overwater Coverage Summary on page 3 of the Ecological No Net Loss Assessment Report (Attachment 2). The proposed project has been designed in compliance with current nonresidential moorage facility standards and the mitigation measures are designed to improve ecological functions or prevent further degradation of habit and will result in No Net Loss of Ecological Functions.

IV. Public Notice and Comment

Date of Application:	March 17, 2020
Notice of Application:	April 16, 2020

Minimum Comment Period: May 18, 2020

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin and Seattle Times on March 17, 2020. It was mailed to property owners within 500 feet of the project site.

Comment was received from Kyle Anderson, President of the Newport Yacht Basin Association. Kyle's comment stated that NYBA owns the docks adjacent to the Seattle Boat's proposed new project and that the owner does not have legal access to cross NYBA owned docks/property to access the project area. Seattle Boat and the subject property are not a part of the NYBA. The NYBA Board has been in discussion with Seattle Boat for access, but no agreement has been finalized.

The issue of access rights across other property is a civil matter between the property owners. Access has been discussed in Section III of this staff report. The property owner is required to demonstrate that access rights across NYBA property has been secured at the time of building permit review. **See Section IX for Conditions of Approval related to parcel access.**

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

Utilities Department:

The Utilities Division of the Development Services Department has reviewed the proposed development for compliance with Utilities codes and standards. The Utilities staff found no issues with the proposed development.

VI. State Environmental Policy Act (SEPA)

The applicant has provided a complete SEPA checklist supported by detailed analysis for review in demonstrating no significant adverse environmental impact. Staff has reviewed the checklist, analysis, and supporting documentation and has determined that, for the proposed action, environmental review indicates no probability of significant adverse environmental impacts provided that applicable city codes and standards are implemented. Therefore, issuance of a Determination of Non-Significance pursuant to WAC 197-11-340 and Bellevue City Code (BCC) 22.02.034 is appropriate.

A. Earth, Air, and Water

No dredging, withdrawals, diversions, or discharges are anticipated from the proposed construction. Minor disturbance is anticipated from the in-water work associated with the removal of nine 15-inch wood piles and placement of seventeen 12-inch steel piles.

B. Animals

Lake Washington has documented Chinook salmon, Coho Salmon, bull trout, and steelhead. The applicant will be required to receive State and Federal permit approval and all in-water work

is required to occur within the construction window as established by the agencies to minimize or avoid impacts to fish and wildlife. **See Conditions of Approval regarding in-water work and additional agency permitting in Section IX of this report.**

C. Plants

No vegetation will be disturbed as part of the proposal.

VII. Decision Criteria

A. Shoreline Substantial Development Permit Decision Criteria – 20.25E.160.D

The Director of the Development Services Department may approve or approve with modifications if:

1. The proposal is consistent with the policies and procedures of the Shoreline Management Act;

Finding: As evaluated, the proposal is consistent with applicable policies and procedures of the Shoreline Management Act (SMA). The SMA includes broad policies that give priority to water-dependent uses and activities. Shoreline recreational uses such as marinas, piers, and other improvements facilitating public access to shorelines of the state are specifically identified as a preferred uses.

2. The proposal is consistent with the provisions of Chapter 173-27 WAC;

Finding: The proposal is consistent with the provisions of Chapter 173-27 WAC. The proposal does not qualify for a listed exemption from a Shoreline Substantial Development Permit in WAC 173-27-040; therefore, the applicant has applied for the appropriate shoreline permit, which is the subject of this staff report.

3. The proposal is consistent with the SMP;

Finding: As evaluated in Section III of this report, the applicant has submitted project plans that demonstrate the proposal's consistency with the policies and procedures of the Shoreline Management Program (SMP).

4. The proposal will be served by adequate public facilities including streets, fire protection, and utilities;

Finding: The site is currently served by adequate public facilities and the proposal will improve existing sewer utilities associated with moorage uses and does not impact other services or facilities.

5. The proposal is consistent with the Bellevue Comprehensive Plan;

Finding: The applicant's proposal is consistent with the following policies and has demonstrated compliance with the SMP through this application. Specifically:

The proposal is consistent with the following City of Bellevue Shoreline Comprehensive

Plan policies:

POLICY SH-3. *Locate and design uses and development to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife and material necessary to create or sustain their habitat, particularly those species dependent on migration.*

POLICY SH-13. *Give priority to water-dependent uses. Do not allow non water-oriented uses except as accessory to marinas, yacht clubs, and community clubs where such uses do no conflict with or limit opportunities for water-oriented uses, or where direct access to the shoreline is not available.*

POLICY SH-18 - *Give preference to residential and water dependent, water-enjoyment, and water-related uses (in that order) when the use, activity, or development preserves shoreline ecological functions and processes or, where necessary, mitigates impacts to water quality, fish and wildlife habitat, and other shoreline functions.*

POLICY SH-30. *Provide sufficient protection to critical areas located within shorelines of the state to ensure no net loss of ecological functions necessary to sustain shoreline natural resources.*

POLICY SH-56. *Locate new recreation facilities at sites with suitable environmental conditions, shoreline configuration, and access while ensuring compatibility with other in-water recreational activities and neighboring upland uses.*

The proposed new floating pier system and ramp are consistent with the above goals to allow use of the shoreline. The proposal will be constructed with materials suitable for in-water construction and will not have an adverse effect on water quality, fish, and wildlife habitat, and other shoreline functions.

6. The proposal complies with applicable requirements of the Bellevue City Code;

Finding: As discussed in Section III and V of this report, the applicant has submitted project plans that demonstrate the proposal complies with applicable requirements of the Bellevue City Code and Standards.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including LUC consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the location and installation of the Seattle Boat floating pier. Revision to this approval shall be in accordance with LUC 20.25E.150.E.2.

Note - Expiration of Approval: In accordance with LUC 20.25E.250.C.2, a Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to commence construction activity, and fails to make substantial progress towards completion of the project within two (2) years of the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension for the Shoreline Substantial

Development Permit pursuant to LUC 20.25E.250.C.6.

Permit authorization expires finally, despite commencement of construction, five years after the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension pursuant to LUC 20.25E.250.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Tom McFarland, 425-681-4231
Utilities Code	Jason Felgar, 425-452-7851
Land Use Code- BCC 20.25H	Kennith George, 425-452-5264
Noise Control- BCC 9.18	Kennith George, 425-452-5264

The following conditions are imposed under the BCC or SEPA authority referenced:

- 1. Building Permit Required:** Approval of this Shoreline Substantial Development Permit does not constitute an approval of a building permit. Application for a building permit must be submitted for review. Plans submitted as part of the building permit application shall be consistent with the activity permitted under this shoreline approval.

Authority: LUC 20.25E.160
Reviewer: Kennith George, Land Use

- 2. Federal and State Permits Required:** Federal and state water quality standards shall be met. All required federal and state permits and approvals must be received by the applicant prior to commencement of any work. A copy of the approved federal and state permits is required to be submitted under the building permit application.

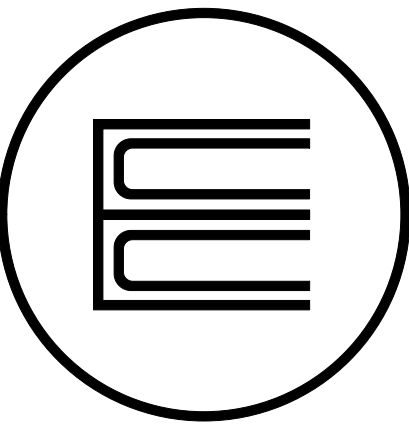
Authority: LUC 20.25E.065
Reviewer: Kennith George, Land Use

- 3. Lake Washington Allowed In-Water Work Windows:** The Washington Department of Fish and Wildlife and US Army Corps of Engineers regulate work windows to protect anadromous fish within Lake Washington. The project shall comply with all approved work windows for construction

Authority: LUC 20.25E.160
Reviewer: Kennith George, Land Use

- 4. Property Access:** All rights to access the subject property from abutting property shall be obtained and provided to the City under the building permit application.

Authority: LUC 20.25E.160
Reviewer: Kennith George, Land Use

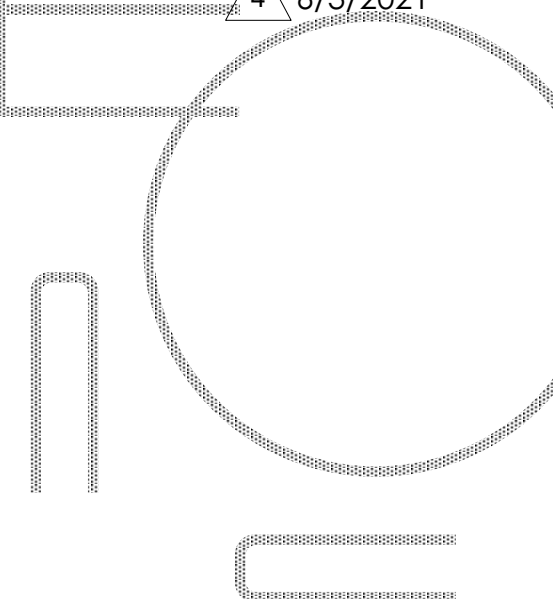


ECCO

Architecture & Design
203 N 36th Street, Ste. 201
Seattle, WA 98103

SITE PLAN

DATE: 3/9/2020
REVISIONS: 1 7/9/2020
2 12/22/2020
4 6/3/2021



SEATTLE BOAT COMPANY

NEWPORT YACHT BASIN
FLOAT INSTALLATION

3911 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

A1.01

SEATTLE BOAT CO.
AMERICAN MARINE MGMT LLC
PARCEL # 0824059318

DNR PARCEL #
082405-9322

REMNANTS OF FORMER
BREAKWATER TO BE REMOVED AND
DISPOSED OF IN APPROPRIATE
UPLAND FACILITY. ~1,504SF
OVERWATER COVERAGE.

3911 LAKE WASHINGTON BLVD SE
PARCEL # 0824059318

CITY OF BELLEVUE PARKS
PARCEL # 092405-9153

PARCEL # 607341-0000

EXISTING FLOATS, PILES AND ROOF TO
BE REMOVED AND DISPOSED OF IN
APPROPRIATE UPLAND FACILITY.
~1,764SF OVERWATER COVERAGE.

LAKE WASHINGTON

PARCEL # 607340-0000

0924

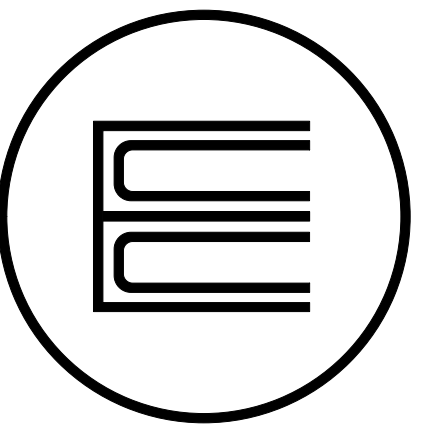
SE 40TH STREET

SEATTLE MARINE MGMT CO LLC
3911 LAKE WASHINGTON BLVD
PARCEL # 092405-9270



EXISTING OVERALL SITE PLAN

SCALE: 1" = 50'

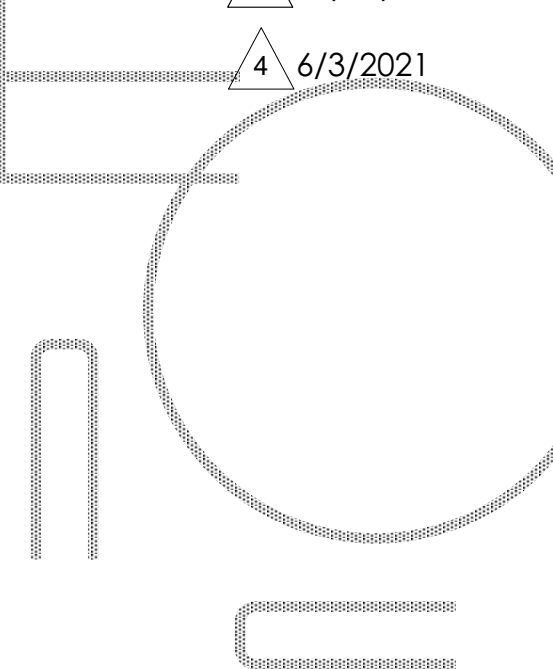


ECCO

Architecture & Design
203 N 36th Street, Ste. 201
Seattle, WA 98103

PROPOSED SITE PLAN

DATE: 3/9/2020
REVISIONS: 1 7/9/2020
2 12/22/2020
4 6/3/2021



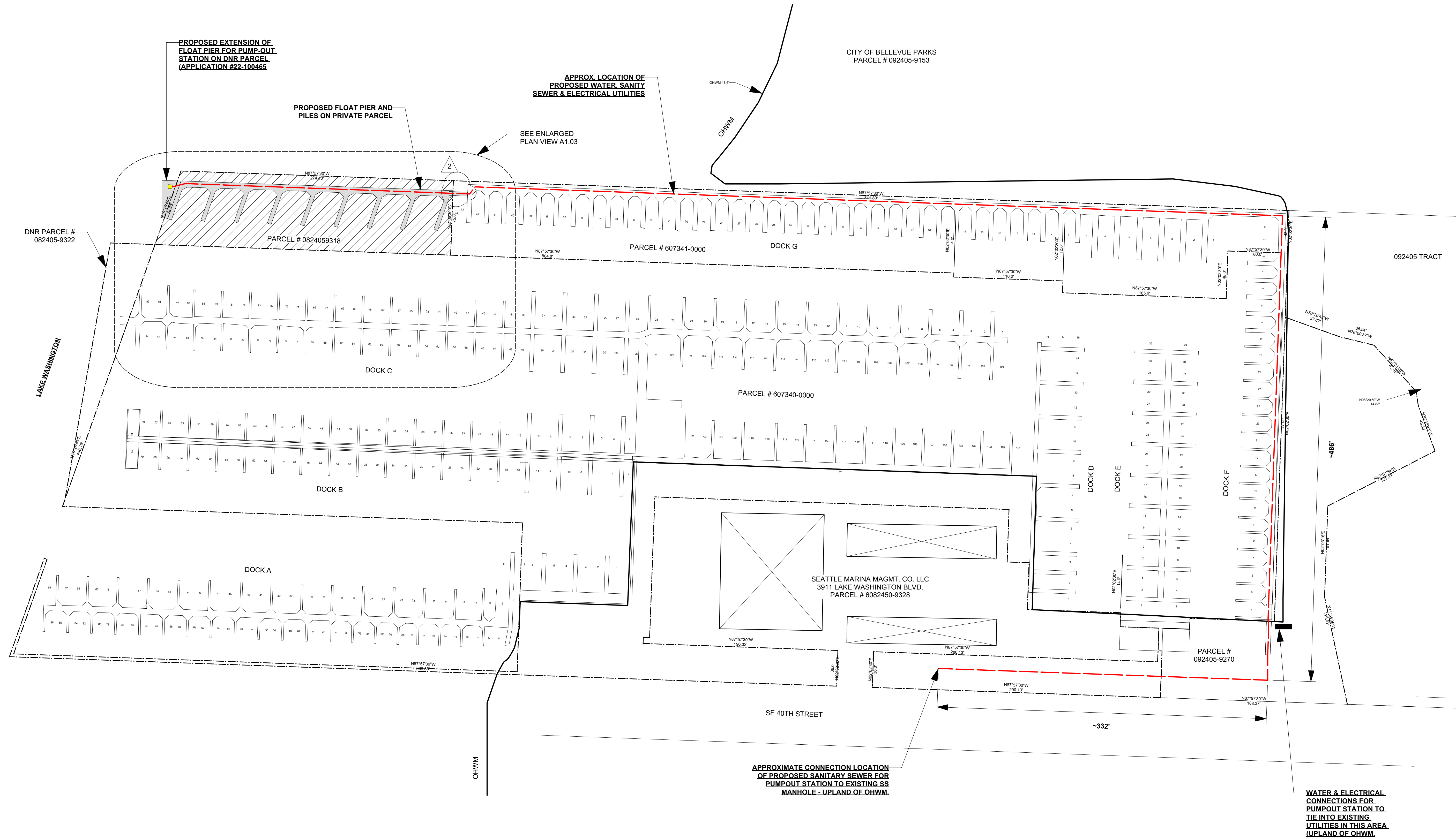
SEATTLE BOAT COMPANY

NEWPORT YACHT BASIN

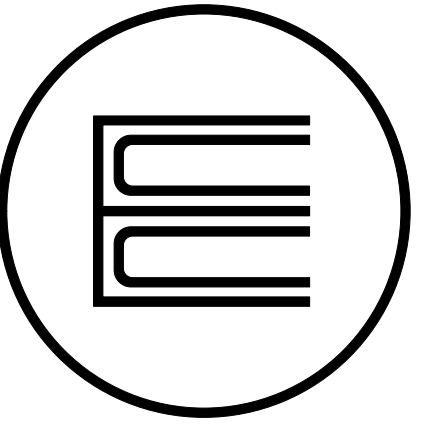
FLOAT INSTALLATION

3911 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

A1.02



PROPOSED OVERALL SITE PLAN
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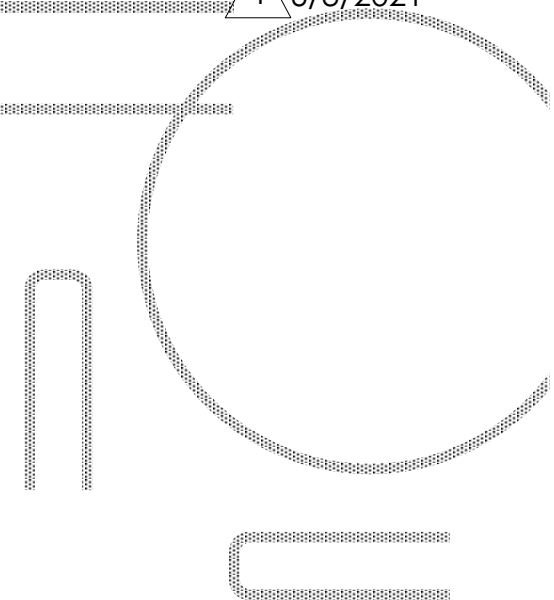


ECCO

Architecture & Design
203 N 36th Street, Ste. 201
Seattle, WA 98103

**FLOAT PLAN
& ELEVATION**

DATE: 3/9/2020
REVISIONS: 1 7/9/2020
2 12/22/2020
4 6/3/2021

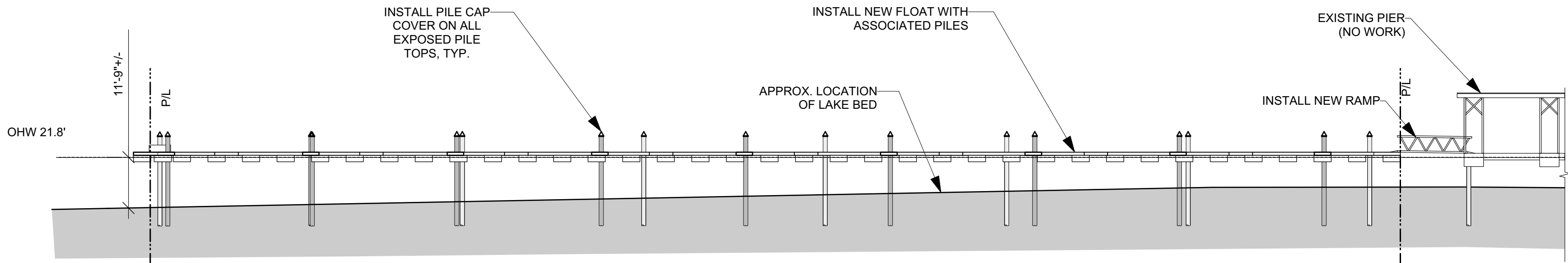


SEATTLE BOAT COMPANY

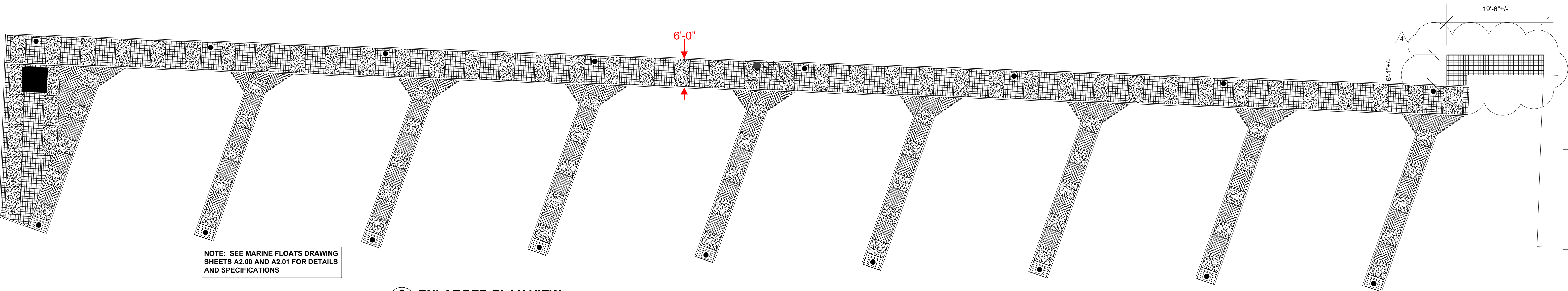
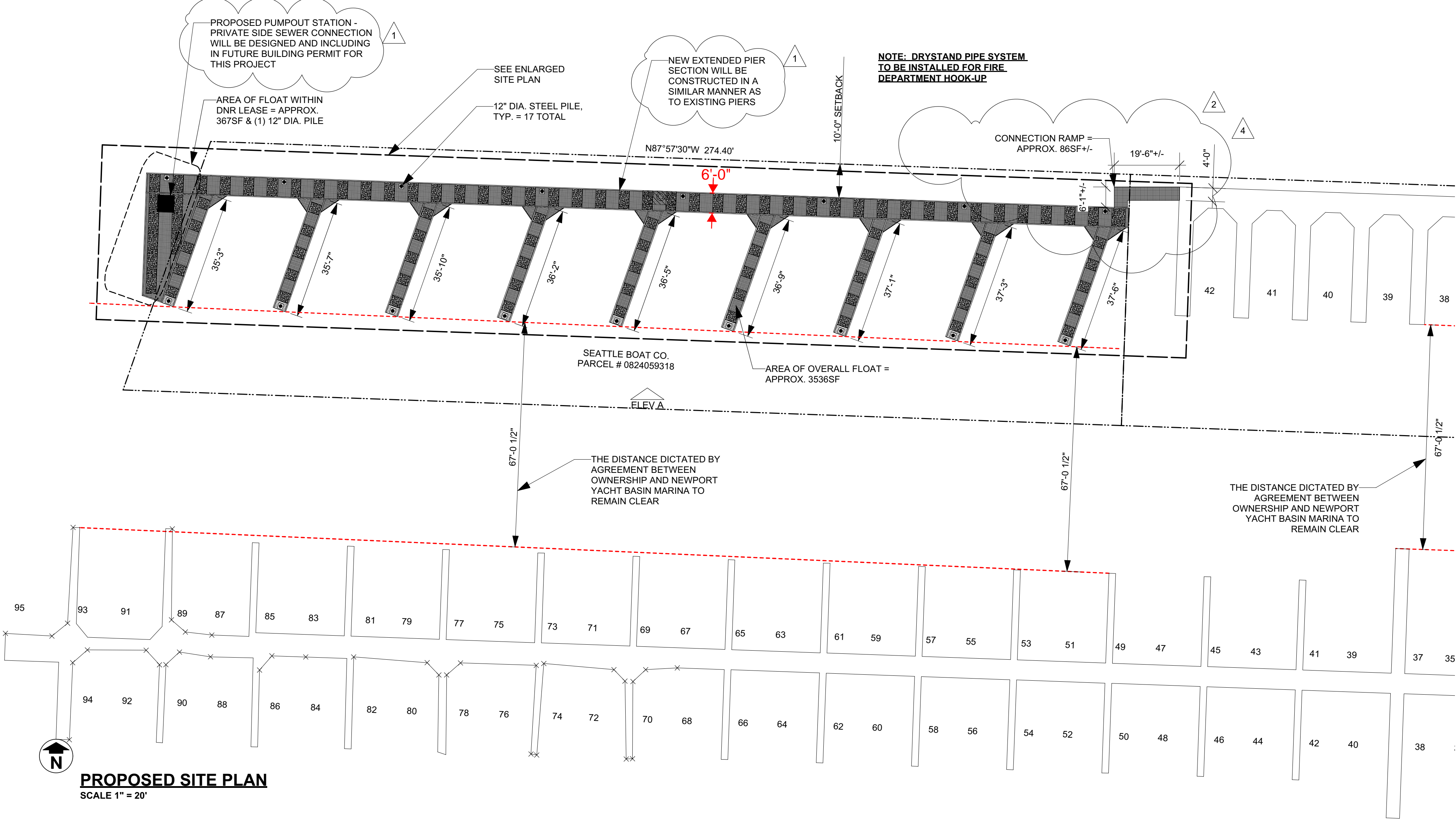
NEWPORT YACHT BASIN
FLOAT INSTALLATION

3911 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

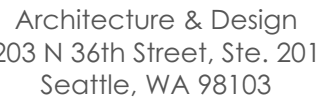
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PARTIAL ELEVATION A
SCALE 1" = 20'



ENLARGED PLAN VIEW
SCALE 1" = 10'



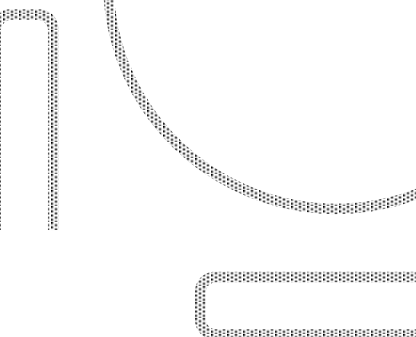
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3/9/2020

1 7/9/2020

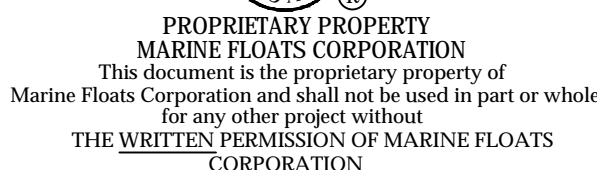
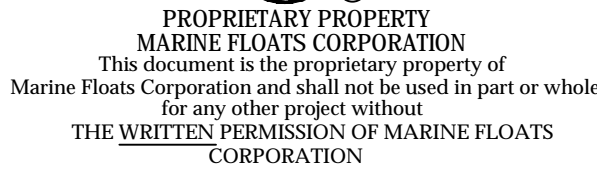
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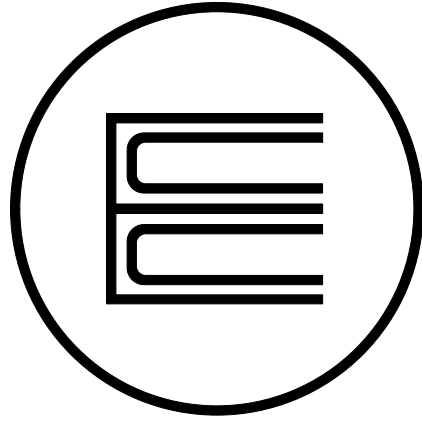
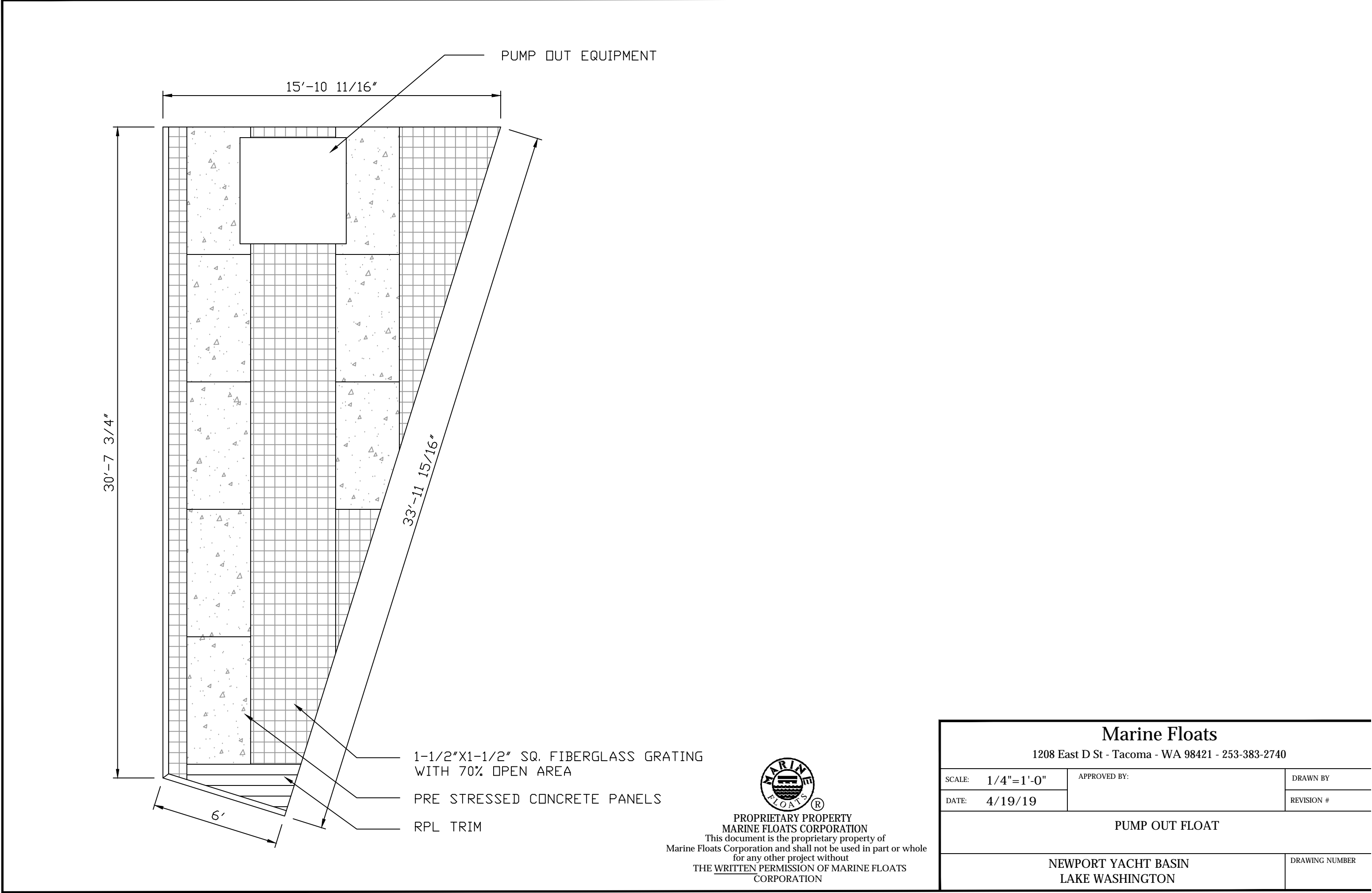
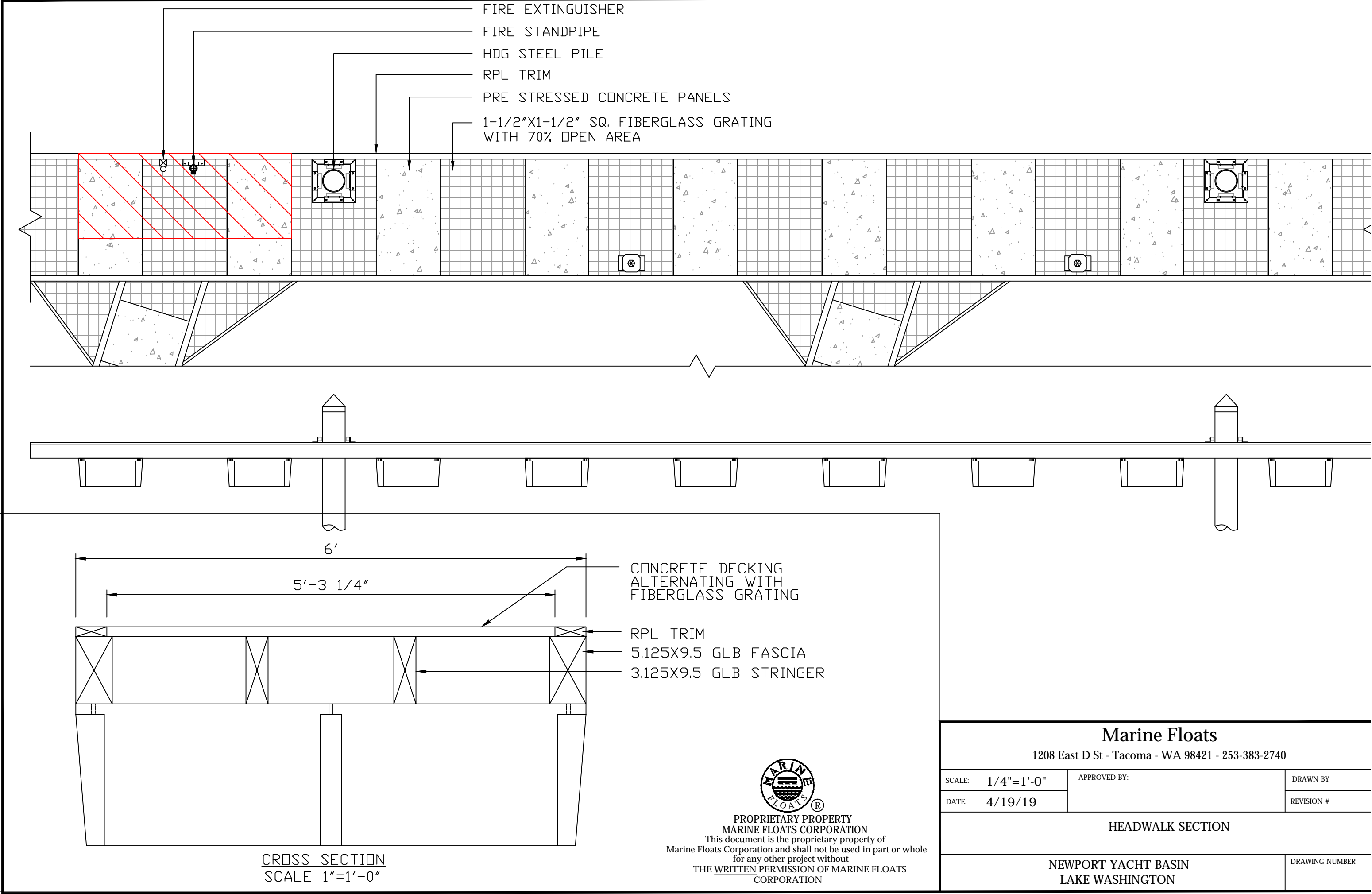
4 6/3/2021



3911 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

A2.00





ECCO

Architecture & Design
203 N 36th Street, Ste. 201
Seattle, WA 98103

FLOAT DETAILS

DATE: 3/9/2020
REVISIONS: 1 7/9/2020

2 12/22/2020

4 6/3/2021

SEATTLE BOAT COMPANY

NEWPORT YACHT BASIN

FLOAT INSTALLATION

3911 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

A2.01

Newport Yacht Basin Pier Extension and Pump-Out Station Proposal Ecological No Net Loss Assessment Report

Prepared for

**ECCO Architecture & Design
203 N 36th Street, Suite 201
Seattle, WA 98103**

Prepared by



**Northwest Environmental Consulting, LLC
3639 Palatine Avenue North
Seattle, WA 98103
206-234-2520**

March 2021

Purpose

The purpose of this report is to fulfill the requirements of City of Bellevue Land Use Code (LUC) 20.25E.080.E.4.b for New and Expanded Nonresidential Moorage Facilities, Boat Ramps, and Launches by assessing overall project impacts and proposed mitigation to determine if the project meets the “No Net Loss” standard.

No net loss incorporates the following concepts:

- The existing condition of shoreline ecological functions should not deteriorate due to permitted development. The existing condition or baseline is documented in the shoreline inventory and characterization. Shoreline functions may improve through shoreline restoration.
- New adverse impacts to the shoreline environment that result from planned development should be avoided. When this is not possible, impacts should be minimized through mitigation sequencing.
- Mitigation for development projects alone cannot prevent all cumulative adverse impacts to the shoreline environment, so restoration is also needed.

Location

The project will take place within the City of Bellevue in the Newport neighborhood, at 3911 Lake Washington Blvd SE, at a marina on Lake Washington. The project is located within Section 9, Township 24N, and Range 5E, latitude 47.5750 N, longitude -122.1862 W (see Appendix A - Sheet 1 of 9). Permits are being applied for a pier extension (see Appendix A – Sheets 2 through 4 of 9).

The project is in Water Resource Inventory Area (WRIA) 8 (Lake Washington/Cedar/Sammamish Watershed) and within the Hydraulic Unit Code (HUC) 17110012.

Project Description

Existing fixed piers, decking, covered moorage, and associated piles will be removed (approximately 1,784 square feet and 9 15-inch wood piles). Piles will be pulled using a barge-mounted vibratory hammer. The float structure will be fabricated off-site and towed into place.

A new pier and float structure will be installed, approx. 3,536 square feet and a ramp that covers an additional 77 square feet of the aquatic environment. Seventeen, 12-inch steel piles will be installed. The new structure will provide 16, 35-to-38-foot moorage slips and a floating pump-out station. (Four covered moorage slips were lost in the storm; 16 uncovered slips will be built in their place.) Float decking will be a combination of grated decking and concrete panels.

Existing floating piers, decking, covered moorage, and associated piles will be removed (approximately 1,784 square feet and 9 piles). This structure collapsed from the weight of snow in February 2019. Some of the loose debris comprising the moorage covers has been removed already; the rest will be demolished and removed.

Remnants of a derelict breakwater structure will also be removed from the area just north of the marina, totaling approximately 1,504 square feet of overwater coverage.

The project will result in a net decrease of 325 square feet of overwater coverage and an increase of up to 2 square feet of pile area. The new floats will be in water approximately 7 to 12 feet deep.

Project Drawings are included in Appendix A.

See Code Narrative in Appendix C for information on Performance Standards, Design Criteria, and Decision Criteria.

Approach

Northwest Environmental Consulting LLC (NWECC) biologist Emily Drew conducted a site visit in Fall 2019 to evaluate conditions on site and adjacent to the site. NWECC also consulted the following sources for information on potential critical fish and wildlife habitat along this shoreline:

- Washington Department of Fish and Wildlife (WDFW): Priority Habitats and Species online database (<http://apps.wdfw.wa.gov/phsontheweb/>)
- WDFW SalmonScape online database of fish distribution and ESA listing units (<https://apps.wdfw.wa.gov/salmonscape/>)

Site Description

Most of the Lake Washington shoreline is residential, with residential docks and landscaped yards. Coal Creek, Newport Creek and two unnamed creeks converge and outfall at the southern corner of the marina. South of the marina, there is a residential neighborhood development with water channels between the streets. South of that development lies Newport Beach Park, and continuing south, residential yards with docks front the shoreline, with I-405 behind the row of homes. Immediately north/northeast of the marina, the Mercer Slough and its associated wetlands abut the marina. North of the slough, the approach to the I-90 Bridge forms an interchange with Bellevue Way SE and I-405 farther east, with multiple bridges and overpasses connecting the roadways, all on concrete supports.

The marina shoreline is planted with a vegetation strip between the parking lot and the bulkhead. Overhanging shrubbery lines the bulkhead. The pier to be extended is accessed by foot only, by a pile-supported walkway across a scrub-shrub wetland area. Immediately north of the pier, the wetland extends about halfway to the end of the walkway, and then gives way to water lilies.

The marina and surrounding area have been subject to historical dredging. Substrates consist of sand and mud, with no aquatic vegetation within the boundaries of the marina. Water lilies are abundant north of the marina, transitioning to the Mercer Slough north and east. Site photographs are included in Appendix B.

Species Use

Lake Washington contains both resident and anadromous (migratory) salmonids and is connected to salmon-bearing streams. Lake Washington connects to Puget Sound through Lake Union and the Hiram M. Chittenden Locks.

The action area is used by listed bull trout, Chinook salmon, and steelhead. The area is used for migration and includes potential rearing habitat. Coal Creek and Newport Creek, whose outlets are on the southern edge of the property, have documented presence of listed Chinook and steelhead and non-listed salmonids, coho salmon and sockeye salmon). Bull trout use the lake but are not documented to use Coal Creek or Newport Creek.

Lake Washington is within Unit 10 designated Chinook salmon critical habitat. Lake Washington is in Unit 2 Designated Critical Habitat for bull trout.

There are no WDFW Priority habitats directly associated with the project site for terrestrial species. The project area is shown to be used by resident coastal cutthroat, fall Chinook, coho, sockeye, and winter steelhead. Wetlands are mapped to the north and east of the project site (Mercer Slough Nature Park).

Project Impacts and Conservation Measurements

Direct Impacts:

Direct impacts include noise and turbidity resulting from pile removal and installation, changes to overwater coverage, and potential spills.

Noise: Noise will reach the behavioral effects threshold for salmonids for a total of up to 6 hours over a 4-day period, within a limited area (Sheet 8). Noise will not reach the injury threshold.

Sediments: The lake sediments will be disturbed during pile removal and installation. But sediments have been shown to be minimally disturbed during pile driving activities. Juvenile salmonids could be temporarily displaced or stressed by increased turbidity, but the resulting turbidity is expected to be minor and short in duration. A floating boom will be placed around the pier to contain floating debris to the project site. The project will meet state water quality standards. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to/from the site.

Lakebed: The proposed project will include the removal of nine 15-inch wood piles from the lakebed. The new pier will add 17, 12-inch steel piles to the lakebed. This will add approximately 2 square feet of covered lakebed that is currently uncovered.

Overwater Coverage: The 1,784 square feet of overwater coverage (OWC) to be removed are opaque (solid decking and non-translucent canopies). An additional 1,504 square feet of former breakwater remnants that were damaged in a storm and drifted into the adjacent aquatic area and will be removed. T

The proposed floats will be surfaced grating decking and float tubs with concrete decking. The float tubs comprise opaque area with grating in between. The grating is 69% open area. Per specifications provided by Marine Floats Corporation and taking into account framing, the floats are 50% concrete and 50% grating. So the effective coverage of the floats is 65% of a solid float.

A summary of reduction of overwater coverage and the additional reduction of coverage created by using grating decking is provided in Table 1 Overwater Coverage Summary below.

Table 1 – Overwater Coverage Summary

Action	Square Feet
Pier and moorage to be removed	-1,784
Breakwater to be removed	-1,504

Total OWC to be removed	-3,288
Grated Ramp (overwater only)	+77
New Floats	+3,536
Net increase/decrease in OWC	325
Effective Overwater Coverage	
Grated Ramp (70% open area)	23
New Floats (50% area)	2,298
Reduction in OWC from grating	1,292

Effective increase/decrease in OWC -967

Overwater structures can be a barrier to migration. In studies associated with the 520 Bridge Project, salmonids were found to show any of three responses to overwater coverage (Celedonia et al. 2008b *in* NOAA Fisheries 2017):

1. Passing under the structure without delay
2. Hesitating to go under the structure for a few seconds to 46 minutes
3. Passing under the structure multiple times

The study concluded that overwater structures are a partial, but not complete, barrier to migration.

Wetlands: The Mercer Slough Nature Park is immediately north of the marina. The park contains a 398-acre scrub-shrub wetland. This wetland is classified as Category II with a habitat score of 8 that designates a 225-foot buffer (LUC 20.25H.095.D.1.a.i). Most of the proposed project will take place approximately 250 feet from the high-quality scrub-shrub habitat, outside of the wetland buffer area if wetland buffers carried over the water. The derelict breakwater is approximately 200 feet from the edge of the wetland. Sediments may be disturbed during removal of the derelict breakwater. The area is vegetated with lily pads (Lily pads are not native to the Pacific Northwest) that will quickly recolonize if disturbed. The existing and proposed moorage is oriented southward to prevent boats from passing into the wetland area as they enter and exit the marina.

Potential Spills: Short-term risks include the potential for petroleum spills that can occur with any equipment operation. The level of impact to the aquatic environment is expected to be minor because of the small amount of petroleum products used during typical construction of residential docks, and because of spill containment measures that will be employed should a spill occur.

Indirect Impacts:

Recreational Boating: The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The proposed vessel slips will accommodate 16 vessels of up to 40 feet in length. Six of these slips replace pre-existing slips that were damaged and removed.

It is difficult to attribute the new slips to increased boating activity because some of the vessels may have been moored at private residential docks or other, less conveniently located marinas, before being moved to the Newport Yacht Basin Association marina. There are also many boat ramps allowing boats to access the lake without being moored there. The project does,

however, increase total available moorage space on Lake Washington; but does not increase the demand for boating.

Other Conservation measures:

Work window: The work will be completed during the prescribed in-water work window for this area of Lake Washington (July 16 to July 31 or November 16 to December 31). Operating within this time frame helps protect Chinook salmon, steelhead, bull trout and other salmonid fish species.

Noise minimization: Piles will be driven with a vibratory hammer and impact proofing will not be necessary. The noise injury threshold to salmonids will not be reached, and the behavioral effects threshold will only be met over a small (300-ft) radius for a short time.

Grated decking will be used on the floats, reducing their effective overwater coverage. Grating also reduces available hiding places for predators. The gentler light/dark transition may also reduce salmonids' aversion to entering the space under the dock.

A floating boom will be placed around the project area while work is being done. The area inside the boom will be cleared of floating debris before the boom is removed. Spill containment and removal materials will be kept onsite.

Piles will be pulled up slowly to minimize turbidity. Piles will be removed completely or cut off 2 feet below the mudline. Holes left by pile removal will be filled, if needed, with clean sand that matches the existing substrate in texture and composition.

The derelict breakwater structure has not functioned effectively for years. Demolishing it will remove treated wood and overwater shading from the lake and restore natural fish passage through the area.

The pump-out station furthers the goal of the Clean Vessel Act. The station will be available to the public as well as marina tenants and may prevent unauthorized dumping of black water waste from recreational boats.

Concentration of moorage at the marina is preferable to building individual residential docks for the up-to-40-foot vessels the moorage will accommodate. It results in less overwater coverage, places it farther from the shoreline and makes a pump-out station conveniently available to the vessel owners.

Treated piles that have been removed will be cut into 4-foot sections and disposed of at a licensed upland facility.

The work barge will not be permitted to ground out on the sediments at any time.

Conclusion

Juvenile Chinook salmon, and other salmonids, rear and migrate along the Lake Washington shoreline. The project takes place in Lake Washington near Mercer Slough Nature Park that contains a scrub-shrub wetland. The expanded pier slips will orient boats away from Mercer Slough and prevent boats from passing through the waters of Mercer Slough while accessing the marina. The project will minimize construction effects on the environment by following the prescribed fish window and use applicable BMPs to prevent construction spills and debris from escaping the area.

The project will minimize impacts to the shoreline environment. There will be temporary impacts from noise and disturbed sediments during demolition and construction of the pier and pile

driving. The overwater coverage will be increased by 325 square feet and lakebed coverage will be increased by approximately 2 square feet. However, these impacts are minimized by installing grated decking on the new pier, decreasing the functional overwater coverage by 967 square feet. This grating reduces the hard shadows favored by salmonid predators and increases productivity in waters under the pier. In addition, removal of the wave barrier will offset impacts of the expanded overwater coverage and restore the shoreline environment in Mercer Slough.

This project has been designed to meet current non-residential moorage facility standards and will use Best Management Practices to reduce project impacts. The conservation measures are designed to improve ecological functions or prevent further degradation of habitat **and will result in No Net Loss of ecological functions** and may improve the overall ecological functions at the site by removing overwater coverage in the Lake.

REFERENCES

ThruFlow. 2020. Legacy Series. Online. Accessed June 2020 at <https://thruflow.com/products/legacy/>.

US Army Corps of Engineers (USACE). 2004. Final Biological Evaluation, Regional General Permit: Construction of New or Expansion of Existing Residential Overwater Structures and Driving of Moorage Piling. Lake Washington, Lake Sammamish, the Sammamish River and Lake Union, Including the Lake Washington Ship Canal, in the State of Washington.

Washington Department of Fish and Wildlife (WDFW). 2020. Priority Habitats and Species. Online database. Accessed June 2020 at <http://apps.wdfw.wa.gov/phsontheweb/>

WDFW. 2020. SalmonScape. Online database. Accessed June 2020 at <http://apps.wdfw.wa.gov/salmonscape/>

Appendix A: Project Drawings

PROJECT INFORMATION

APPLICANT:
AMERICAN MARINE MANAGEMENT CO LLC

DRAWINGS BY:
ECCO DESIGN INC.
203 N 36TH ST SUITE 201
SEATTLE, WA 98103
206-706-3937

SITE ADDRESS:
3911 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006

PARCEL NUMBER:
082405-9318

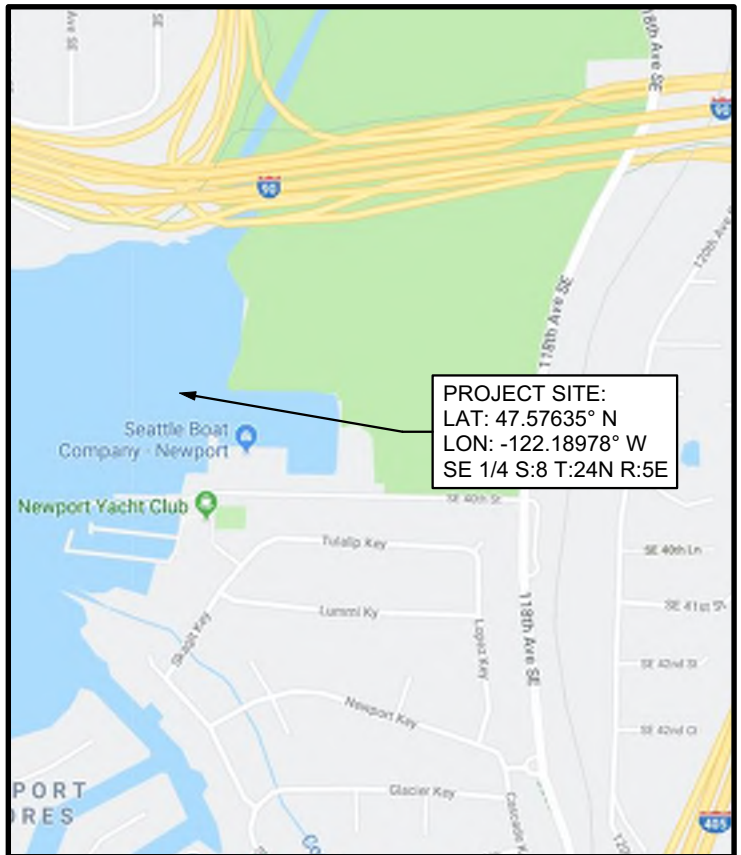
BODY OF WATER:
LAKE WASHINGTON

LEGAL DESCRIPTION:

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EXTENDS BEYOND WLY LIMIT OF G-DOCK TO
INNER HARBOR LN & SLY OF N BDRY OF
NEWPORT YACHT BASIN II PHASE I CONDOS &
EXTENDS 60 FT N OF SD BDRY
PLAT BLOCK:
PLAT LOT:

PROJECT DESCRIPTION:
REMOVAL OF 3,288 SF OF EXISTING FLOATING
PIER, BOAT COVER AND BREAKWATER
REMNANTS. INSTALLATION OF NEW FLOATING
PIER STRUCTURE WITH 16 BOAT SLIPS AND A
SEWER PUMPOUT STATION.

VICINITY MAP



REFERENCE:

DATUM: C.O.E. Locks Datum

ADJACENT PROPERTY OWNERS:

1. City of Bellevue Parks
2. City Street End

APPLICANT: American Marine Mgmt LLC

LOCATION:
3911 Lake Washington Blvd. SE
Bellevue, WA 98006

LAT/LONG: 47.57635°/-122.24191°

PROPOSED PROJECT: Boat
Moorage & Pumpout Station

IN: Lake Washington
NEAR/AT: Bellevue
COUNTY: King **STATE:** WA

SHEET 1 of 9

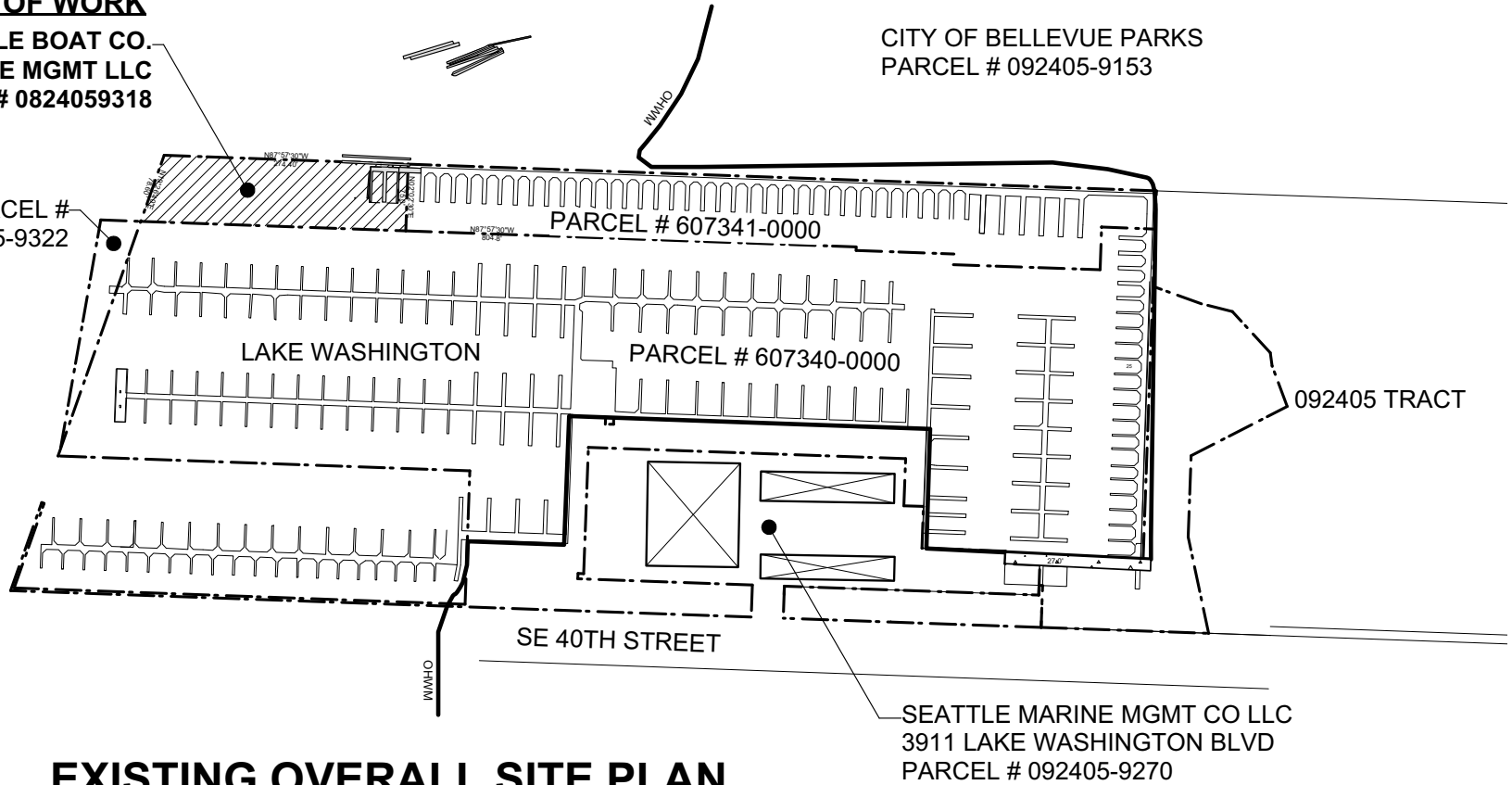
DATE: February 20, 2020

AREA OF WORK

SEATTLE BOAT CO.
AMERICAN MARINE MGMT LLC
PARCEL # 0824059318

CITY OF BELLEVUE PARKS
PARCEL # 092405-9153

DNR PARCEL #
082405-9322



EXISTING OVERALL SITE PLAN

SCALE 1" = 200'

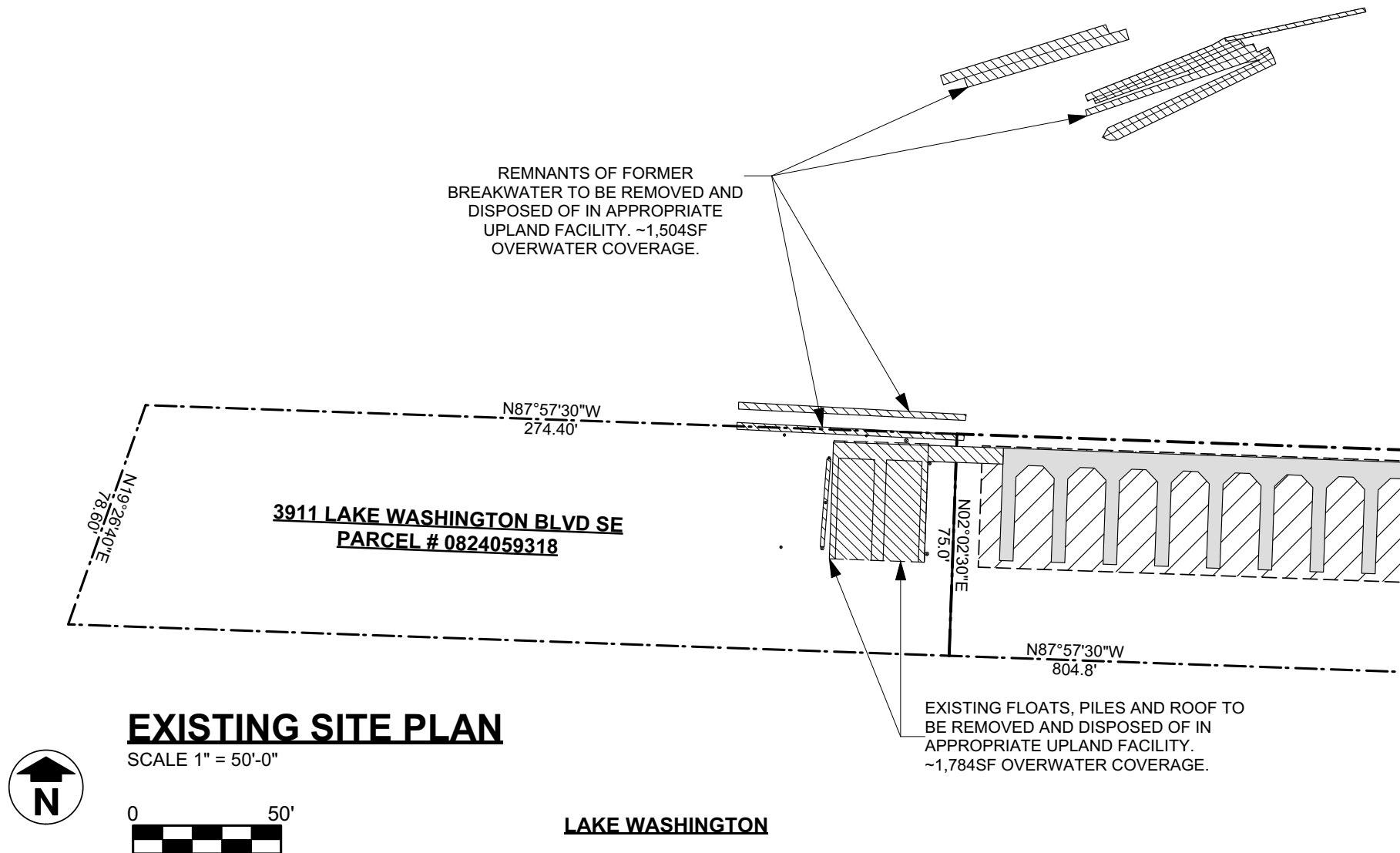


Reference:

Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station

Location: Bellevue, WA

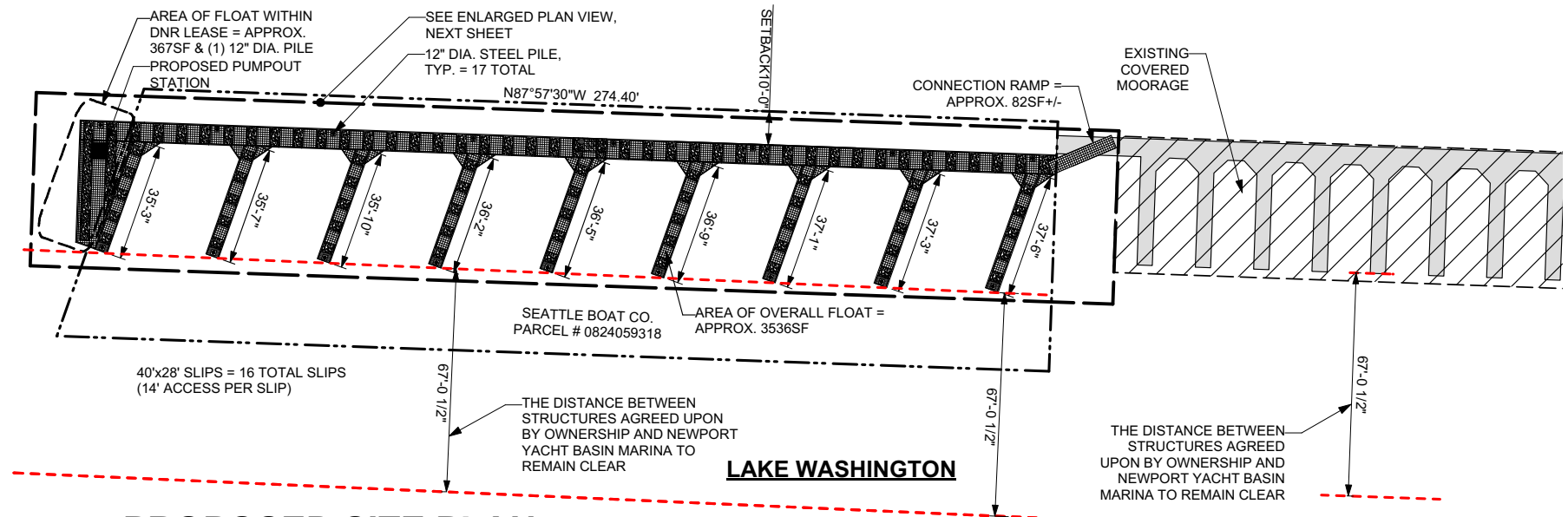


Reference:
Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station

Location: Bellevue, WA

Sheet 3 of 9 Date: 2/20/2020



PROPOSED SITE PLAN

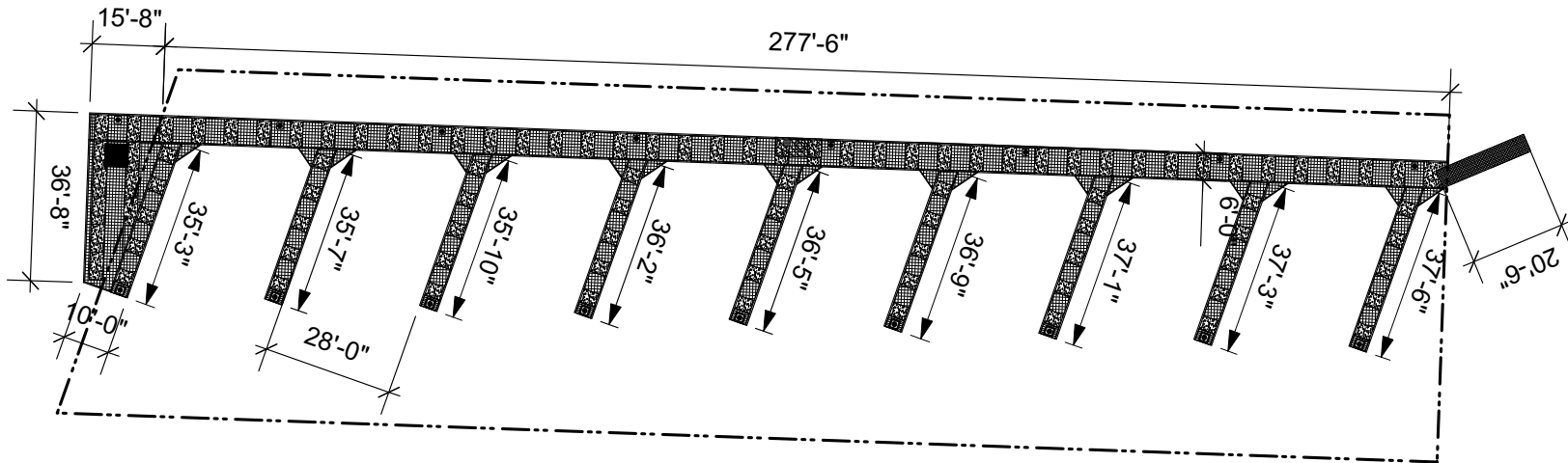
SCALE 1" = 50'-0"



Reference:
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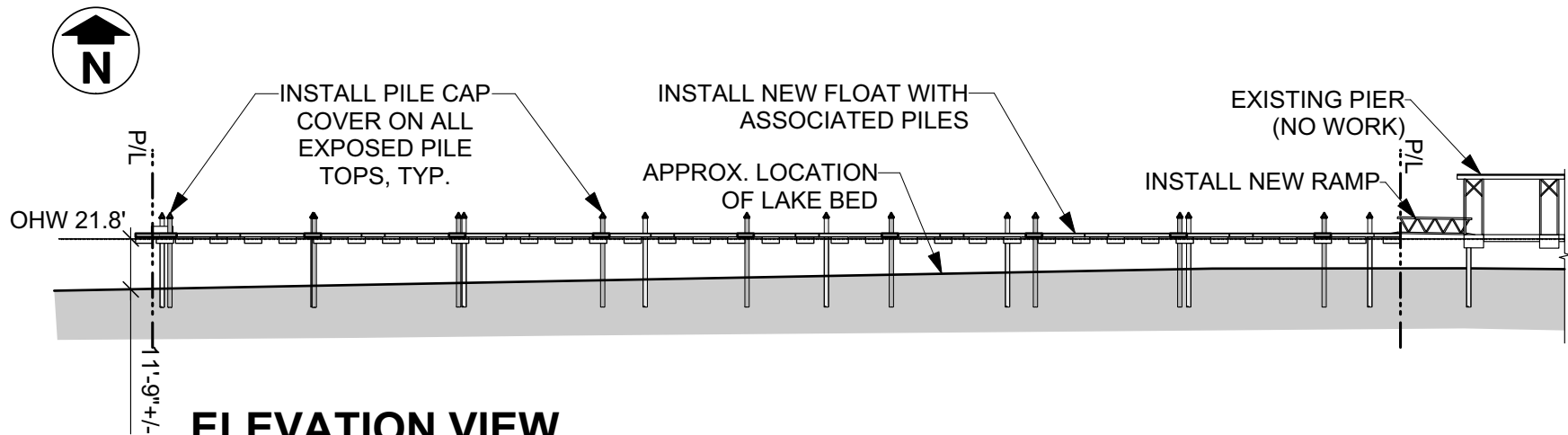
Proposed: Boat Moorage &
 Pumpout Station
Location: Bellevue, WA

Sheet 4 of 9 **Date:** 2/20/2020



PLAN VIEW

SCALE 1" = 40'-0"



ELEVATION VIEW

SCALE 1" = 40'-0"



Reference:
Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station
Location: Bellevue, WA

OVERWATER NUMBERS

NEW PIER STRUCTURES:

3,536SF

NEW PILE INSTALLATION:

17 (12" DIA. STEEL)

PILES TO BE REMOVED:

9 (~15" DIA. WOOD)

COVERED MOORAGE TO BE REMOVED:

1,280SF

EXISTING PIER & BREAKWATER STRUCTURE TO BE REMOVED:

FLOATING PIER & MOORAGE	1,784SF
<u>BREAKWATER</u>	<u>1,504SF</u>
TOTAL	3,288SF

SUMMARY OF OVERWATER COVERAGE:

TOTAL REMOVED COVERAGE	3,288SF
<u>TOTAL NEW COVERAGE</u>	<u>3,536SF</u>
TOTAL OVERWATER INCREASE	248SF

PILES SUMMARY:

TOTAL REMOVED PILES	9
<u>TOTAL NEW PILES</u>	<u>17</u>
TOTAL PILE INCREASE	8

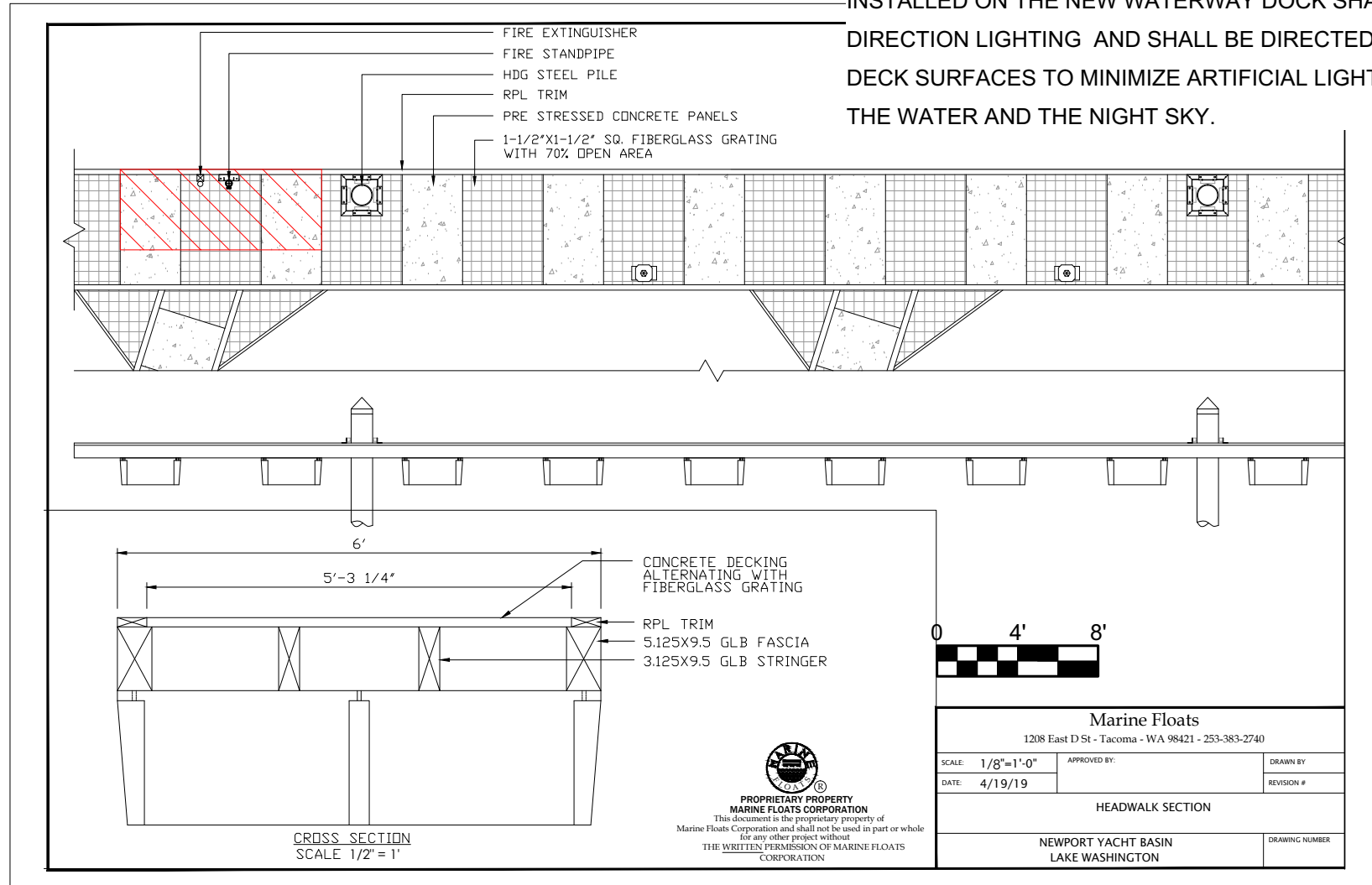
Reference:

Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station

Location: Bellevue, WA

MARINE SHORE POWER PEDESTAL WITH 30/50 AMP ELECTRICAL, WATER AND BUILT-IN LIGHT. ALL LIGHTING INSTALLED ON THE NEW WATERWAY DOCK SHALL BE LOW, DIRECTION LIGHTING AND SHALL BE DIRECTED TOWARD DECK SURFACES TO MINIMIZE ARTIFICIAL LIGHT ENTERING THE WATER AND THE NIGHT SKY.

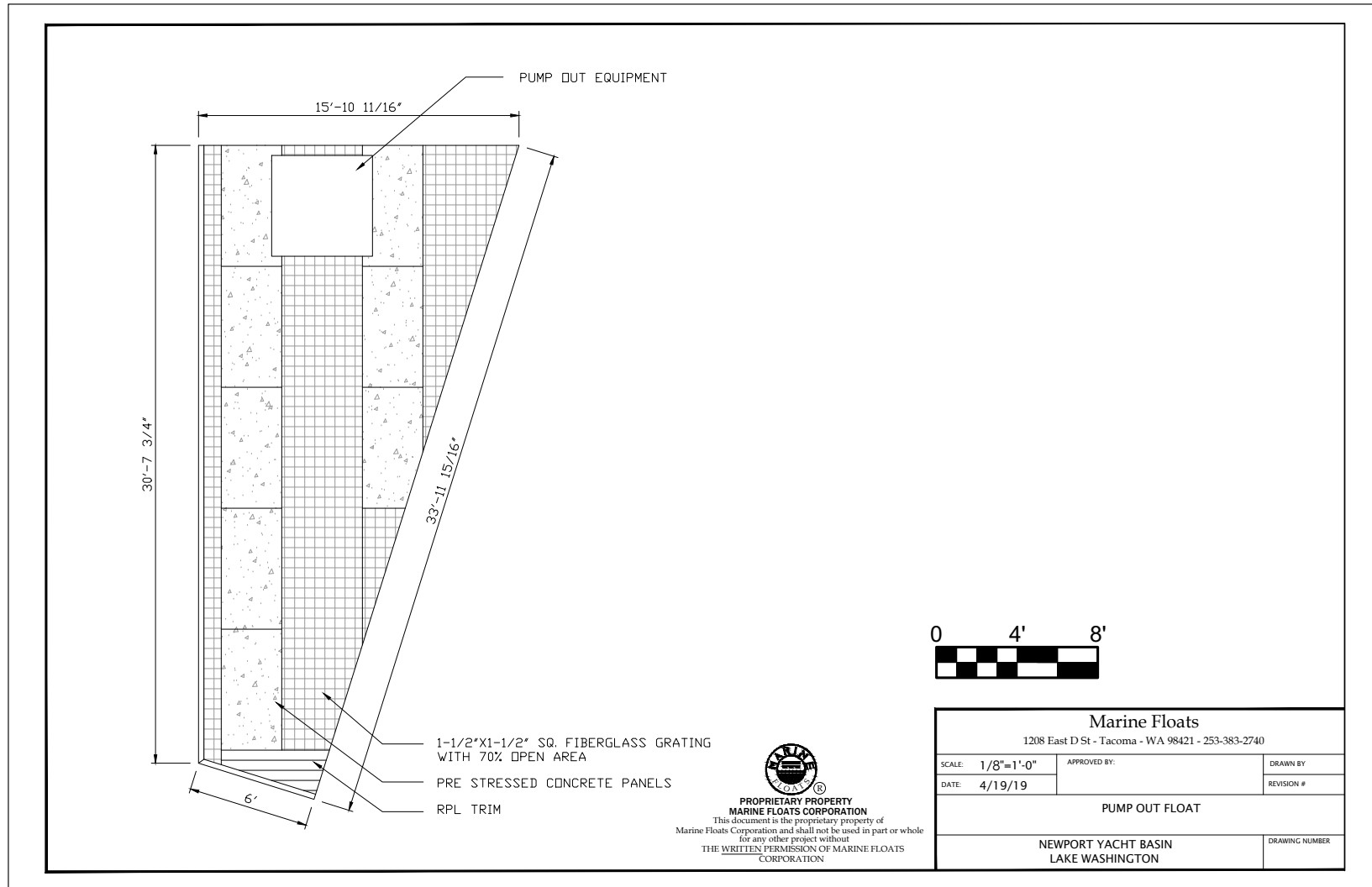


Reference:
Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station

Location: Bellevue, WA

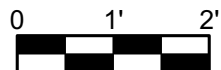
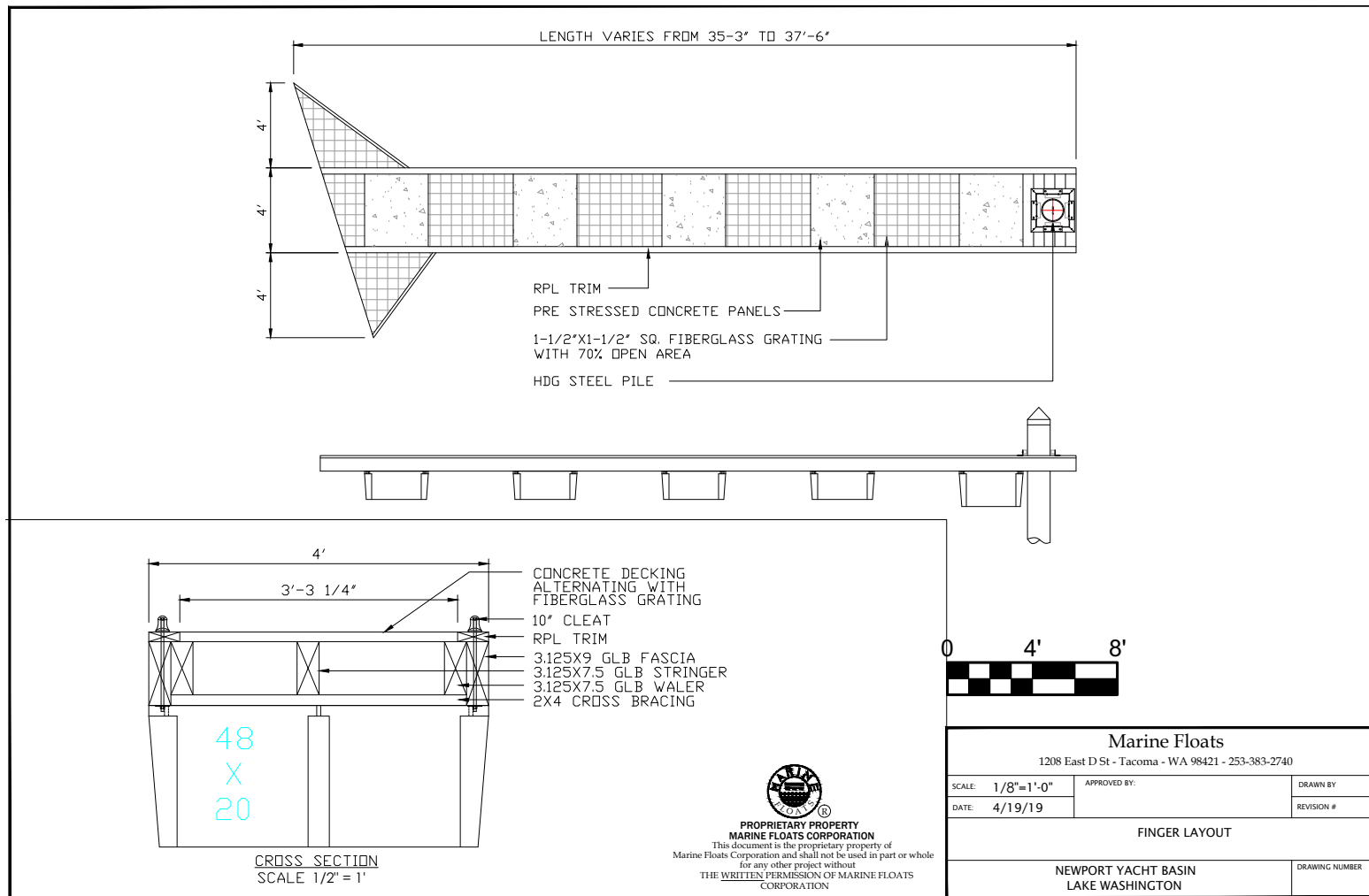
Sheet 7 of 9 **Date:** 2/20/2020



Reference:
Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station
Location: Bellevue, WA

Sheet 8 of 9 Date: 2/20/2020



Reference:
Applicant: American Marine Mgmt LLC

Proposed: Boat Moorage &
Pumpout Station
Location: Bellevue, WA

Sheet 9 of 9 **Date:** 2/20/2020

Appendix B: Site Photographs



Derelict breakwater to be removed



Remaining debris from collapsed structure to be removed



Existing solid decking



Derelict breakwater structure



Marina with derelict breakwater (right side)



Appendix C: Code Narrative

Project Description

The project includes the removal and disposal of the previously destroyed existing floating pier, piles, ramp and covered moorage (~1,784 sq. ft. of overwater coverage). The remnants of a former breakwater that are in the waters of the adjacent park to the North will also be removed and disposed (~1,504 sq. ft. of overwater coverage). Install a new floating pier section (~3,536 sq. ft.) on the parcel and will consist of steel piles, concrete panels and fiberglass grating. A sewer pumpout station will be constructed at the end of the floating pier section and will extend onto DNR property.

Code Summary

LUC 20.25E, 070 – Specific Use Regulations – Recreation (LUC 20.25E.070.C)

1 • LUC 20.25E.070.C.2 - General Requirements Applicable to all Recreational Facilities apply and must be addressed.

General Requirements Applicable to all Recreational Facilities.

a. Routine Maintenance and Repair. Routine maintenance and [repair](#) associated with existing recreational facilities are allowed. “Routine maintenance” includes those usual acts to prevent decline, lapse, or cessation of the existing recreational facility. “Routine [repair](#)” includes in-kind restoration to a state comparable to its original condition within a reasonable period after decay has occurred. Improvements meeting the definition of a minor [expansion](#) are not considered maintenance or [repair](#). Improvements not meeting the definition of routine maintenance and [repair](#) or minor [expansions](#) shall be processed as new or expanded recreational facilities.

This project will be an expansion of an existing facility and therefore maintenance and repair is not a part of this scope of work.

b. Minor Expansions. Minor [expansion](#) of existing recreational facilities is allowed. “Minor [expansion](#)” includes enlargement of gross square footage, [impervious surfaces](#), permanent disturbance, structural [lot coverage](#), or overwater coverage associated with the recreation facility, individually or in combination, by not more than 20 percent within a 5-year period. Improvements not meeting the definition of routine maintenance and [repair](#) or minor [expansions](#) shall be processed as new or expanded recreational facilities.

The proposal qualifies as a "minor expansion" of an existing recreational facility; it qualifies as a minor expansion because it would expand the existing overwater coverage by less than 20% within a 5-year period.

The overall site (Tracts A, B & C) have an overall square footage of 432,029.49sf and the new development is 3,618sf. Therefore, it is less than 1% expansion of overall site.

Using just Tract C which is 21,461.74sf the new development would be less than 17% of that area.

c. Work associated with recreational facilities shall be consistent with all applicable [City](#) of Bellevue codes and standards.

Proposal is consistent with City of Bellevue codes and standards.

d. Dimensional Requirements. Dimensional requirements contained in LUC [20.25E.050.A](#) apply to recreational uses and [development](#), except as modified by subsections [C.2.d.i](#) through [C.2.d.iv](#) of this section.

Shoreline Structure Setback = 50' (Meets)

Lot Coverage = NA (Meets)

Max. Building Height = 35' (Proposed structure is a floating pier – (Meets))

Max. Shoreline Impervious Surface = (Meets)

i. Modification of Shoreline Setbacks. Applications to modify the [shoreline setback](#) between 50 feet and 25 feet landward of the ordinary high water mark may be processed pursuant to LUC [20.25E.160.E](#) (Special [Shorelines](#) Report). Applications to modify the [shoreline setback](#) between 25 feet landward of the ordinary high water mark and the ordinary high water mark shall only be allowed pursuant to LUC [20.25E.190](#) ([Shoreline Variance](#)).

No modification or variance is being applied for.

ii. Shoreline Setbacks – Allowed Development. Only the following recreational uses and [development](#), in addition to equipment necessary for safety, such as a lifeguard chair, are allowed in the [shoreline setback](#):

- (1) [Accessory structures](#): See LUC [20.25E.070.C.3.f](#).
- (2) Overwater [structures](#): See LUC [20.25E.070.C.3.g](#).
- (3) [Shoreline](#) promenades: See LUC [20.25E.070.C.3.h](#).
- (4) Recreational [trails](#): See LUC [20.25E.070.C.3.i](#).
- (5) Recreational signage: See LUC [20.25E.060.J](#)

No structures are proposed within shoreline setbacks.

iii. Pervious and Impervious Surfaces – Limitations. Pervious surfaces, and when allowed [impervious surfaces](#), associated with recreational facilities, including [trails](#), shall be the minimum necessary to support the intended function of the recreational use, and in no event shall the total amount of pervious or [impervious surfaces](#) exceed 30 percent of the required [shoreline setback](#). [Impervious surfaces](#) when allowed in the [shoreline setback](#) count towards the total maximum allowed [impervious surface](#) limit set forth in LUC [20.25E.050.A](#) (Dimensional Requirements in the [Shoreline](#) Jurisdiction).

The proposal is for a float structure which will be constructed by Marine Floats (or approved equal) with *Envirocrete® Specifications*: Float surface decked with 50% pre-stressed concrete decking and 50% fiberglass grating with 60% open area. The overall surface area is far below 30% as compared to the parcel – see coverage on the cover page of the drawing set.

iv. Recreation Facility – Relationship to Residential Development. Public and community recreation [buildings](#) or clubhouses, except [structures](#) used for [moorage](#), storage, or other accessory uses, shall have a minimum [side setback](#) of 50 feet from adjacent residential [development](#).

Proposal is for moorage and will have a 10'-0" setback from the North Property boundary.

e. All utility and service lines located landward of the ordinary high water mark shall be underground, where feasible.

All utility lines will be run along or within the existing moorage facility. Once the utilities reach the new float area they will be run within conduits below the float surface.

f. [Clearing](#) of vegetation shall be the minimum necessary for infrastructure maintenance and public safety.

No clearing of existing vegetation is required.

g. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a [mitigation](#) and/or restoration plan meeting the requirements of LUC [20.25E.060.D](#).

Proposed project is for the removal of existing overwater structures and installation of new overwater float structures. All work will be completed by barge and no upland site disturbance will occur.

2. LUC 20.25E, 070 - Specific Use Regulations- Recreation (LUC 20.25E.070.C)

- LUC 20.25E.070.C.4 - Repair, Maintenance and Minor Expansion of Recreational Facilities. Performance Standards (LUC 20.25E.070.C.4.b) must be addressed.

LUC 20.25E.070.C.4.b

i. Maintenance and [repair](#) activities shall be the minimum necessary to [restore](#) the facility to its original design condition, function, and capacity.

The minor expansion is being designed to be the minimum necessary to accommodate the vessel moorage that is in demand and will meet all City, State and Federal regulations.

ii. Maintenance, [repair](#), and minor [expansion](#) activities shall comply with applicable [shoreline](#) modifications design requirements as established by LUC [20.25E.080](#).

See below for how the proposal complies with 20.25E.080.

iii. Maintenance, [repair](#), and minor [expansion](#) activities on public recreation facilities shall be undertaken in a manner that would not preclude [shoreline](#) [public access](#), consistent with the requirements contained in LUC [20.25E.060.I](#) ([Public Access](#)).

This is a private marina however the proposal does include a public pump-out facility to be installed on the waterward end of the pier extension.

iv. Materials used for maintenance, [repair](#), and minor [expansions](#) may be similar to those used for the original construction except that material requirements for overwater [structures](#) or [moorage](#) associated with a recreational facility shall comply with LUC [20.25E.080.E.3.c](#) (Construction Materials, nonresidential [moorage](#)).

The float structures will be constructed by Marine Floats (or approved equal) with *Envirocrete® Specifications*: Float surface decked with 50% pre-stressed concrete decking and 50% fiberglass grating. The non-grated (opaque) areas are covered with concrete because light transmittal is not possible in these areas due to the necessary tub floatation below.

- Concrete is pre-stressed with stainless steel cable
- Grating is fiberglass with 1 1/2" x 1 1/2" squares and 60% open area.
- Polyethylene foam filled tub floatation
- All timber is chemonite pressure treated Douglas/Fir
- All piles will be steel

v. Maintenance and [repair](#) of [accessory structures](#) in the [shoreline setback](#) shall comply with [repair](#) standards set forth in LUC [20.25E.040](#) for [nonconforming shoreline](#) conditions. Minor [expansions](#) of [accessory structures](#) located in the [shoreline setback](#) are prohibited, except as consistent with the performance criteria of subsections [C.3.d](#) and [C.3.f](#) of this section.

The minor expansion will not be a nonconforming shoreline condition and it will not be within shoreline setback criteria.

vi. Where maintenance, [repair](#), and minor [expansion](#) activities negatively impact the visual quality of the [shoreline](#) or surrounding neighborhood associated with the existing facility, screening and/or replacement landscaping shall be provided to maintain the [shoreline](#) aesthetic quality that existed before the activities were undertaken.

The minor expansion will be a floating pier structure with no covered moorage structures above therefore there will be no negative impacts to the visual quality of the shoreline or surrounding neighborhood.

3. LUC 20.25E.080.E.: Nonresidential Moorage Facilities, Boat Ramps, and Launches.

1. Applicability. Nonresidential [moorage](#) facilities, boat ramps and launches are allowed in the [Shoreline](#) Overlay District when in compliance with this subsection E. This subsection E does not apply to residential [development](#) governed pursuant to LUC [20.25E.065](#).

2. Definitions. The following definitions apply only to this subsection [E](#) of this section:

- a. *Facility Segment*. The [walkway](#), [moorage](#) platform, finger-pier, or cover portion of a [dock](#).
- b. *Walkway*. The portion of the [dock](#) that is connected to the [shoreline](#) at the landward end and provides access to the [moorage](#) platform.

3. General Requirements Applicable to All Nonresidential Moorage Facilities, Boat Ramps and Launches.

- a. New skirting and [covered moorage](#), including boatlift canopies, are prohibited.

No skirting, covered moorage or canopies are proposed.

- b. Minimum Necessary. Maintenance and [repair](#) shall be the minimum necessary to [restore](#) the facility to its original design, function, and capacity.

The minor expansion is being designed to be the minimum necessary to accommodate the vessel moorage that is in demand and will meet all City, State and Federal regulations.

- c. Construction Materials. Use environmentally neutral materials, not materials treated with known toxic preservatives, approved by the Environmental Protection Agency for use in aquatic environments. [Dock](#) materials shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds. If (ammoniacal copper zinc arsenate) (ACZA) materials are proposed, the applicant will meet all of the best management practices, including a post-treatment procedure, as outlined in the amended Best Management Practices of the Western Wood Preservers. Preservative and surface treatments are limited to products approved for use in aquatic environments and must be applied according to label directions. Construction hardware that comes into contact with water either directly or through precipitation and that discharges either directly or indirectly into surface waters shall not be susceptible to dissolution by corrosion.

The float structures will be constructed by Marine Floats (or approved equal) with Envirocrete® Specifications: Float surface decked with 50% pre-stressed concrete decking and 50% fiberglass grating. The non-grated (opaque) areas are covered with concrete because light transmittal is not possible in these areas due to the necessary tub floatation below.

- Concrete is pre-stressed with stainless steel cable
 - Grating is fiberglass with 1 1/2" x 1 1/2" squares and 60% open area.
 - Polyethylene foam filled tub floatation
 - All timber is chemonite pressure treated Douglas/Fir (all timber is out of water)
 - All piles will be steel
-

d. Modification of Standards. A special [shoreslines](#) report may be used to modify the standards of this subsection E when the modification results in a net benefit to [shoreline ecological functions](#). Refer to LUC [20.25E.160.E](#) (Special [Shoreline](#) Report Process).

A biological evaluation and NNL report have been completed to review the overall project and the proposed mitigation. We have included those reports with our submittals.

4. New and Expanded Nonresidential Moorage Facilities, Boat Ramps and Launches.

a. Permit Required. New and expanded nonresidential [moorage](#), boat ramps, and launches are permitted in the [shoreline](#) jurisdiction pursuant to the process identified in LUC [20.25E.030](#) ([Shoreline](#) Use Charts).

b. [Moorage](#) facilities shall be located in an area where impacts to [shoreline ecological functions](#) can be avoided or mitigated to achieve the standard of no net loss of [ecological function](#). To that ensure no net loss of [ecological functions](#) occurs, the [Director](#) may require a compensatory [mitigation](#) plan pursuant to LUC [20.25E.060.D](#) ([Mitigation](#) Requirements and Sequencing), when impacts related to new or expanded [moorage](#) facilities are identified and not addressed by the performance standards set forth in subsection [E.4.d](#) of this section.

The moorage expansion has been designed with ecological functions taken into consideration and proposed mitigation measures. Please see the submitted Biological Assessment & NNL reports completed by Northwest Environmental Consulting, LLC for details.

c. New or Expanded Nonresidential Moorage Facilities – Design Criteria. Design and siting of new or expanded nonresidential [moorage](#) facilities shall address, at a minimum, the following criteria:

i. Facilities should be designed to avoid [dredging](#) to establish new [moorage](#), and the need for maintenance [dredging](#) consistent with subsection [D](#) of this section.

The proposed moorage has depths of 7'-0" to 11'-9" and no dredging would be needed to maintain the facility given the type of vessel that would moor within the moorage slip width and length.

ii. Facilities should be designed to avoid impacts to [shoreline ecological functions](#) through consideration of water depth, water circulation, sediment inputs and accumulation, and wave action.

The moorage expansion has been designed with ecological functions taken into consideration and proposed mitigation measures. The proposed design has taken

into account minimizing the moorage slip sizes while maintaining required setbacks from the Mercer Slough park and maintaining open areas between pier structures to allow for continued water circulation aiding in protection from wave action that occurs from the boat traffic given the high use area beyond the marina.

iii. Facilities should be located to avoid impacts to [shoreline](#) [ecological functions](#) through avoidance of submerged aquatic vegetation, [shoreline-associated wetlands](#), or [habitat](#) associated with species of local importance.

The moorage expansion has been designed with ecological functions taken into consideration and proposed mitigation measures. Please see the submitted Biological Assessment & NNL reports completed by Northwest Environmental Consulting, LLC for details regarding shoreline habitat and cleanup of the derelict debris with the Mercer Slough Park.

iv. Facilities shall be designed to minimize overwater coverage and be the minimum size necessary to provide the desired [moorage](#) function when considering the beam and draft of the type of boat anticipated to be moored. Preference shall be given to designs that provide two berths per finger pier.

The minor expansion is being designed to be the minimum necessary to accommodate the vessel moorage that is in demand and meet all City, State and Federal regulations. The finger piers have been designed to allow for maximum moorage with slips on both sides of each finger.

v. The ability of the [site](#) upland from the ordinary high water mark to accommodate the necessary support facilities.

This is an existing marina and the existing upland facilities will fully accommodate the expansion beyond the need to connect to the existing utilities upon installation.

vi. The use of mooring buoys to accommodate additional [moorage](#).

This is not a viable solution given this is an existing marina and mooring bouys would not be feasible given the location and ingress/egress needs.

vii. Transient Moorage. Transient [moorage](#) is allowed within a new or expanded nonresidential [moorage](#) facility.

This is a private moorage facility however the site does allow for public fueling and the expanded pier will allow for public pump-out. The transient moorage takes place adjacent to the site at the public street end ramp.

viii. Liveaboards. Liveaboards are allowed when distributed through the facility. Areas proposed for occupation by liveaboards should include properly planned and designed utility connections and storage facilities for each liveboard slip.

Not Applicable with this proposal.

ix. Stacked Boat Storage. Facilities should incorporate, to the maximum extent feasible, upland stacked boat storage unless:

Note: Stacked Boat Moorage is being used to the maximum extent possible on the uplands property.

- (1) No suitable upland locations exist for such facilities;
- (2) The applicant demonstrates that water [moorage](#) would result in fewer impacts to [shoreline](#) [ecological functions](#);
- (3) The applicant demonstrates that water [moorage](#) would enhance public use of the [shoreline](#); or
- (4) The proposal is part of a nonresidential [moorage](#) facility [development](#) in the recreational boating [shoreline](#) environment where the objective is enhanced [public access](#) and the location of an upland stacked storage facility would conflict with the objective of public use of the [shoreline](#).

x. Utilities and Services. Utility and service lines serving [docks](#) and piers should be located below the pier deck and out of the water.

Utilities will be run within conduits below the grated decking at the new extension.

d. New and Expanded Nonresidential Moorage Facilities – Performance Standards. The following use-specific performance standards apply in addition to the general performance standards in subsection [E.3](#) of this section:

- i. Location of Facilities in Meydenbauer Bay. Nonresidential [moorage](#) facilities shall not extend waterward beyond the point necessary to provide reasonable draft for the boats to be moored. In no event shall a nonresidential [moorage](#) facility extend to a point that impedes public navigation.

Not Applicable

- ii. Existing covered nonresidential [moorage](#) facilities in Meydenbauer Bay shall not expanded beyond their existing outer limits or the boundary described as:

All Azimuths being South; commencing at the E 1/4 Sec. corner of Sec. 31 T 25N, R 5E, W.M., whose “X” coordinate is 1,661,520.58 and whose “Y” coordinate is 225,661.29 of the Washington Coordinate System, North Zone, and running thence on an Az of 78°51'17" a distance of 963.76 feet to a point whose coordinate is “X” 1,660,575.00, “Y” 225,475.00 of said coordinate system; thence on an Az of 37°26'00" for a distance of 60 feet to a point being the true beginning of this description; thence on an Az of 316°19'15" a distance of 495.14 feet; thence on an Az of 2°21'10" a distance of 42.52 feet; thence on an Az of 312°06'17" a distance of 415.00 feet; thence

on an Az of 37°24'19" a distance of 118.06 feet to an intersection with the northwesterly extension of the northwesterly line of Reserve "A" at the N. end of Ronda Street between Blocks 29 and 38, Plat of Moorlands, as recorded in Vol. 4 of Plats, Page 103, records of King County, Washington, said point of intersection being the terminus of this line description.

Not Applicable

iii. Setbacks for Facilities. **Moorage** facilities constructed with an external **dock** perimeter where access to public waters is provided through a central point on the waterward end of the facility shall provide a minimum 10-foot **setback** from property line projections. **Moorage** facilities constructed with an open-sided design where access to **moorage** is taken directly from public waters shall provide a minimum of 50 feet of **setback** from property line projections.

A 10-foot setback is proposed from the north property boundary as indicated on the project drawings.

iv. Dock and Pier Access. **Docks** and piers shall be accessed from upland support areas through a ramp or gangway and **walkway** system with the first set of finger piers (ells) located at a depth of 9 feet or greater. Facilities for human-powered **vessel** launching and **moorage** may be located in depths of less than 9 feet.

Proposal meets this standard.

v. The width and length of all **structures** shall be limited to what is reasonable for the intended use; provided, that:

(1) **Walkways** shall not exceed eight feet in width;

Proposal meets this standard.

(2) Ells shall not exceed four feet in width; and

Proposal meets this standard.

(3) Ramps and gangways shall not exceed six feet in width.

Proposal meets this standard.

vi. **Docks**, ramps, piers, and **walkways** shall be grated or surfaced with **light-penetrable materials**. To the extent feasible, **structures** shall be designed to minimize overwater coverage and avoid shading of aquatic vegetation.

The widths of the main walkway and fingers are the minimum necessary for safe passage and minimizes the overwater coverage. The float surface shall be decked with 50% pre-stressed concrete decking and 50% fiberglass grating. The non-grated

(opaque) areas are covered with concrete because light transmittal is not possible in these areas due to the necessary tub floatation below.

- Concrete is pre-stressed with stainless steel cable
- Grating is fiberglass with 1 1/2" x 1 1/2" squares and 60% open area.
- Polyethylene foam filled tub floatation
- All timber is chemonite pressure treated Douglas/Fir

vii. Impacts to [shoreline ecological functions](#) shall be minimized through avoidance of submerged aquatic vegetation, [shoreline associated wetlands](#), and nesting and spawning areas.

The moorage expansion has been designed with ecological functions taken into consideration and proposed mitigation measures. Please see the submitted Biological Assessment & NNL reports completed by Northwest Environmental Consulting, LLC for details regarding shoreline habitat and species of importance.

viii. Impacts to [adjoining](#) residential uses shall be minimized through use of appropriate screening, and by locating high impact areas away from uses on adjacent properties.

The proposed expansion is a floating pier with no covered moorage above so screening is not necessary.

ix. [Docks](#) shall be designed with piers and other [structures](#) placed to facilitate, rather than to obstruct, water circulation. Basins shall be designed to prevent stagnant water that tends to collect debris or cause shoaling or flushing problems.

The proposed structure is an expansion of the existing facility and the configuration is consistent with the existing layout which historically has not had problems with stagnation, debris or flushing.

x. [Moorage](#) facilities shall be designed to protect against wakes caused by [vessel](#) traffic without the need for a [breakwater](#).

The proposed moorage has a finger along the most waterward portion of the extension that is large enough to also accommodate the public pump-out facility. The pump-out benefits the overall ecological functioning of the lake and also aids in protecting against wakes caused by vessel traffic.

xi. Lighting and Safety. Design shall include adequate safety features and be designed to facilitate emergency response, including, but not limited to the following:

- (1) Design and locate facility security gates and [walkways](#) maximizing emergency access to the water and minimizing blockage of the view from the shore. [Walkway](#) access locations should be in close proximity to facility loading and [short-term parking](#) areas;

Proposal meets this standard as the facility already has this in place.

(2) Design and locate lighting to illuminate [walkways](#) during the evening hours. [Walkway](#) lighting should be flush mounted to the [dock surface](#) or screened to avoid spillover light emissions;

Proposal meets this standard as the lighting will be integral to the power pedestals.

(3) Locate flotation devices in designated areas at regular intervals throughout the nonresidential [moorage](#) facility to ensure the safety of facility users;

Proposal meets this standard.

(4) Include adequate fire safety apparatus, including [dock surface](#) markings and reflectors at intervals and locations specified by the [City](#)'s Fire Department; and

Proposal meets this standard.

(5) Mark the facility with reflectors or other measures to prevent unnecessarily hazardous conditions for water surface users during the day or night.

Proposal meets this standard.

xii. Interference with Other Uses. Facilities shall not interfere with the public use and enjoyment of the water or create a hazard to navigation.

The proposed design does not extend beyond the most waterward boundaries of the existing facility and therefore does not create a hazard.

xiii. [Public access](#) shall be provided in accordance with LUC [20.25E.060.I](#) ([Public Access](#)).

The facility is a private facility however a public pump-out station is proposed on the new structure.

xiv. Facility Addressing – Waterward. Facilities shall include address [signs](#) that are visible from the water. All signage shall conform to the signage requirements contained in LUC [20.25E.060.J](#) (Signage in the [Shoreline](#) Overlay District).

Proposal will meet this standard.

xv. Aircraft Moorage. Aircraft [moorage](#) is allowed as part of a nonresidential [moorage](#) facility and shall be the minimum size necessary to accommodate the use. All identified and related impacts to [shoreline ecological functions](#) shall be mitigated through implementation of a [mitigation](#) plan pursuant to LUC [20.25E.060.D](#) ([Mitigation](#) Requirements and Sequencing).

Not applicable

xvi. Waste Services. At the minimum, facilities shall provide the following waste services:

(1) One marine pump-out facility for use by the general boating public. This facility must be clearly marked for public use; and

The proposal does include a pump-out facility.

(2) Each [moorage](#) segment shall include a solid waste collection facility, including, but not limited to, maintenance waste, recycling and garbage.

The existing upland facility does provide for this.

xvii. Facilities shall develop a maintenance, [repair](#), and operations plan that demonstrates compliance with the requirements of this SMP and other applicable codes in accordance with standards established by the [Director](#).

The existing facility does have an existing maintenance, repair and operations plan in place.

e. New and Expanded Motorized Boat Ramps and Launches – Decision Criteria. In determining whether to approve an application for a motorized boat launch, the [City](#) shall consider the following criteria:

i. Adequacy of public streets to serve the facility based on traffic generated from using the facility;

Not applicable

ii. Impacts on adjacent uses, including noise, light, and [glare](#) are minimized; and

Not applicable

iii. Ramp surfaces may be concrete, precast concrete, or other hard permanent substance. Loose materials, such as gravel or cinders, shall not be used.

Not applicable

f. Nonmotorized Boat Ramps and Launches – Design Criteria. Design and siting of nonmotorized boat ramps and launches shall address, at a minimum, the following criteria:

i. The preferred construction material for ramps designed for nonmotorized boats is gravel or other similar natural material; and

Not applicable

ii. Floats or platforms designed to launch nonmotorized boats are allowed.

Not applicable

g. New and Expanded Boat Ramps and Launches – Performance Standards. The following use-specific performance standards apply in addition to the general performance standards in subsection [E.3](#) of this section:

i. The proposed size of the boat ramp or launch shall be the minimum necessary to safely launch the intended craft;

Not applicable

ii. Removal of native upland vegetation shall be minimized to the greatest extent feasible;

Not applicable

iii. Water currents and normal wave action shall be suitable for launch activity;

Not applicable

iv. Adequate onshore parking and maneuvering areas shall be provided based on projected demand. Provisions shall be made to prevent spillover outside designated parking areas. Parking, access, and circulation must be consistent with LUC [20.25E.060.H](#) (Accessory [Parking](#), Loading Space and Maintenance Access);

Per code 20.25E.060(H) the required number of parking spaces needed for this project is 1 space for every 2 slips. Seattle Boat has purchased on-site parking spaces specifically for this development which have not been dedicated to any existing necessary parking. The parking is on the paved section of Tract B under the ownership of Seattle Marina and they have dedicated 8 parking spots to accommodate the 16 new slips.

v. Boat launches shall be located so that they do not significantly impact fish and wildlife [habitats](#) and shall not occur in areas with native emergent vegetation;

Not applicable

vi. Boat launches shall be located to provide access to a sufficient water depth to allow use by boats without maintenance [dredging](#);

Not applicable

vii. Ramps shall be designed to allow for ease of access to the water with minimal impact on the [shoreline](#) and water surface;

Not applicable

viii. [Moorage](#) associated with a boat launch or ramp shall meet the applicable performance standards for new or expanded nonresidential [moorage](#) facilities in subsection [F.4.d](#) of this section; and

Not applicable

ix. **Mitigation** is required for impacts related to the launch facility in accordance with LUC **20.25E.060.D** (**Mitigation** Requirements and Sequencing).

Not applicable**5. Repair and Maintenance Performance Standards Applicable to Nonresidential Moorage Facilities, Boat Ramps and Launches.**

a. Maintenance and **repair** as used in this section include actions to **repair** a failed or degraded component of a facility with the intent of restoring the facility to its original design condition, function, and capacity. **Expansion** or reconfiguration of facility components does not constitute **repairs** and will be processed as a new or expanded nonresidential **moorage** facility, boat ramp, or launch in accordance with the requirements of this section.

Not applicable

b. Existing Nonresidential Moorage Facilities – Repair and Maintenance Performance Standards. **Repairs** of nonresidential **moorage** facilities shall comply with the following:

i. Canopy or Facility Decking Repair. Replacement of more than 50 percent of the surface of any overwater segment of a nonresidential **moorage** facility within a 5-year period requires the segment surface to be replaced with **light-penetrable materials**, such as grating or translucent surfaces; except that floating **docks** must use **light-penetrable materials** to the extent the existing **structure** facilitates light transmission with the addition of the light-penetrating materials. Otherwise, floating **docks** may use materials similar to those used for original construction unless in conflict with other requirements of this section.

Not applicable

ii. Piling Repairs. Capping, collaring, or sleeving of more than 50 percent of the piling of any overwater segment of a nonresidential facility within a 5-year period requires the segment surface to be replaced with **light-penetrable materials** (grating or translucent surface).

Not applicable

iii. Facility Substructure Repair. **Repair** or replacement of more than 50 percent of the substructure (stringers, joists, or beams) of any overwater segment of a nonresidential **moorage** facility within a 5-year period requires replacement with **light-penetrable materials** (grating or translucent surface).

Not applicable

iv. Piling Repair. Replacement of more than 50 percent of the structural support piling of any overwater segment of a nonresidential **moorage** facility within a 5-year period requires

compliance with new nonresidential [moorage](#) facility standards (requires redesign and reconfiguration).

Not applicable

v. Moorage Adjustment. Minor [moorage](#) facility modifications are permitted as a [repair](#) to accommodate a change in [vessel](#) size and type when there is no net increase in the overall number of [moorage](#) slips. Allowed adjustments include a minor change in [dock](#) configuration and the addition or removal of piling as needed to adjust the [moorage](#) slip to accommodate a different [vessel](#) type or need for an adjusted [dock](#) space. No more than 100 square feet of [dock surface](#) or 6 pilings may be added in a 3-year period as a [moorage](#) adjustment.

Not applicable

vi. Materials Used for Repairs. [Repairs](#) may be completed with materials similar to those used for original construction unless in conflict with subsection [E.3.c](#) of this section.

Not applicable

vii. Alternative [mitigation](#) may be allowed in lieu of use of [light-penetrable materials](#) through the special [shoreline](#) report process, LUC [20.25E.160.E](#), when the proposal with the requested alternative [mitigation](#) leads to an equivalent or better protection of [shoreline ecological functions](#) than would result from the application of the standard requirements for light-penetrating materials.

Not applicable

c. Existing Boat Ramps and Launches – Repair and Maintenance Performance Standards. [Repair](#) and maintenance of existing boat ramps and launches shall comply with the following:

i. [Repair](#) of existing facilities shall be constructed with materials required for new facilities as described in subsection [E.3.c](#) of this section.

Not applicable

ii. No [expansion](#) of improved areas is permitted as [repair](#).

Not applicable

iii. Removal of existing vegetation shall be prohibited; and

Not applicable

iv. [Dredging](#) is allowed only in accordance with subsection [D](#) of this section ([Dredging](#) and [Dredge Material Disposal](#)).

Not applicable

LUC 20.25E.070.C.3.e

e. New and Expanded Marinas, Yacht Clubs, and Community Clubs – Use-Specific Performance Standards. All new and expanded marinas, yacht clubs, and community clubs shall comply with the general requirements set forth in subsections C.2 and C.3.a through C.3.d of this section and the following use-specific performance standards:

i. Separation Landscaping. New or expanded private marinas located on sites abutting residential land use districts (refer to LUC 20.10.200) shall provide a dense landscaped buffer, at least 20 feet in width, and including at least 50 percent native species along the entire street frontage abutting the residential district. All significant trees within the landscape buffer area shall be retained. Site development should maximize the retention of existing significant vegetation in order to soften the visual impact on adjacent residential uses.

A vegetation buffer exists at the site per previous permit

ii. New or expanded marina facilities shall be designed to preclude moorage in locations that would have insufficient water depth to avoid boats resting at any time of year on the substrate of the lake and in areas, and where deep water access can be only obtained with excavation, filling, and dredging.

Project will meet this requirement

iii. Boat Repair Facilities. Except for marinas with a valid Boat Yard General NPDES Permit issued by the Washington State Department of Ecology, the following standards apply to vessel maintenance areas:

(1) Maintenance areas shall be sited as far from the water as is practicable, and shall be designed so that all maintenance activities that are potential sources of water or air pollution can be accomplished over dry land, under roof, and in a contained operation; and

(2) All drains from maintenance areas must lead to a sump, holding tank, or pump-out facility from which the wastes can later be extracted for treatment and/or disposal by approved methods. Drainage of maintenance areas directly into surface or groundwater shall not be allowed.

Not Applicable: No boat repair facility is being proposed

iv. Aboveground and underground fuel storage tank installations shall be located as far from the water's edge as possible while providing for appropriate separation from adjacent properties and uses, and shall comply with all state and/or local storage tank and fuel system delivery regulations.

Not Applicable: No fuel storage tanks are being proposed

v. No fuel storage facility or sanitary pump-out station holding tank shall be located over water.

No fuel storage is proposed and the proposed pump-out station is being directly connected to the sanitary sewer system.

vi. Fueling stations shall be designed and located to minimize queuing, reduce frequency of spills, and facilitate spill containment. For marina facilities located adjacent to a residential environment, no fueling or commercial launching facilities shall be located within 20 feet of a residential property line.

Not Applicable: No fueling stations are being proposed

LUC 20.25E.070.C.3.g

Overwater Structures – Development-Specific Performance Standards. All applications for new and expanded overwater structures shall comply with the following limitations and development-specific performance standards in addition to the general requirements set forth in subsections C.2 and C.3.a through C.3.d of this section:

i. Overwater Structures – Limitations. Overwater structures are allowed only for yacht clubs, community clubs, and marinas or for public recreation and public access facilities. Non-water-dependent commercial uses shall not be allowed over water, except where the use is appurtenant to and necessary to support water-dependent uses, such as fueling docks, restrooms, and boating-related retail services.

The proposed overwater structure is for a marina

ii. Performance Standards. Applications for overwater structures, **other than moorage**, shall comply with the following performance standards:

(1) The structure shall provide an opportunity for substantial numbers of people to enjoy the shorelines of the state;

(2) The structure shall be accessible to members of the public or organization membership and provide opportunities to approach the water's edge in areas where access is limited because of the presence of sensitive ecological features;

(3) The structure shall be located as far as reasonably possible from a stream, public stormwater outfall, or adjacent aquatic and wildlife habitat areas; and

(4) The structure shall be the minimum size necessary to support the intended recreation function.

Not Applicable: The proposed structure is for moorage

Newport Yacht Basin Pier Extension and Pump-Out Station Proposal Biological Assessment

Prepared for

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INTRODUCTION

Project Proponent

The project is proposed by Newport Yacht Basin Association. Troy Hussing of ECCO Design Inc. is the Authorized Agent for the permit applications. The proposed work is located on the Lake Washington shoreline in Bellevue's Newport neighborhood.

Purpose and Need

Some of the covered moorage collapsed from the weight of snow in February 2019. The covering over the slips has been removed already; the pier structure is also damaged and will be demolished and removed. The project addresses the need for replacement of the lost moorage, the need for additional moorage, as well as the lack of a pumpout station in the marina.

Project Location

The project will take place within the City of Bellevue in the Newport neighborhood, at 3911 Lake Washington Blvd SE, at a marina on Lake Washington. The project is located within Section 9, Township 24N, and Range 5E, latitude 47.5750 N, longitude -122.1862 W (Figure 1).

The project is in Water Resource Inventory Area (WRIA) 8 (Lake Washington/Cedar/Sammamish Watershed) and within the Hydraulic Unit Code (HUC) 17110012.

PROJECT DESCRIPTION

General Description

A new pier and float structure will be installed to replace structures that collapsed during a snowstorm in February 2019. A floating pumpout station will be added as well.

Detailed Project Description

Existing fixed piers, decking, covered moorage, and associated piles will be removed (approximately 1,784 square feet and 9 15-inch wood piles). Piles will be pulled using a barge-mounted vibratory hammer. The float structure will be fabricated off-site and towed into place.

A new pier and float structure will be installed, approx. 3,536 square feet with 17 12-inch steel piles. The new structure will provide sixteen 35-to-38-foot moorage slips and a floating pumpout station. (Four covered moorage slips were lost in the storm; sixteen uncovered slips will be built in their place.) Float decking will be a combination of grated decking and concrete panels.

Existing floating piers, decking, covered moorage, and associated piles will be removed (approximately 1,784 square feet and 9 piles). This structure collapsed from the weight of snow in February 2019. Some of the loose debris comprising the moorage covers has been removed already; the rest will be demolished and removed.

Remnants of a derelict breakwater structure will also be removed from the area just north of the marina, totaling approximately 1,504 square feet of overwater coverage.

The project will result in a net increase of 248 square feet of overwater coverage and an increase of up to 7 square feet of pile area.

The new floats will be in water approximately 7 to 12 feet deep.

IMPACT AVOIDANCE AND MINIMIZATION MEASURES

Proposed work window:

The work will take about 3 weeks, to be performed during the 2020 work window July 16-31 or Nov 16-Dec 3, depending on permit timing.

Other conservation measures:

- Piles will be driven with a vibratory hammer and impact proofing will not be necessary. The noise injury threshold to salmonids will not be reached.
- Grated decking will be used on the floats, further reducing their effective overwater coverage.
- A floating boom will be placed around the project area while work is being done. The area inside the boom will be cleared of floating debris before the boom is removed. Spill containment and removal materials will be kept onsite.
- Piles will be removed completely or cut off 2 feet below the mudline. Holes left by pile removal will be filled, if needed, with clean sand that matches the existing substrate in texture and composition.
- Treated piles that have been removed will be cut into 4-foot sections and disposed of at a licensed upland facility.
- The work barge will not be permitted to ground out on the sediments at any time.

ACTION AREA

The project effect with the farthest-reaching radius is underwater noise from vibratory pile driving. Underwater noise will reach up to 160 dB_{SEL} during vibratory pile driving. This estimate is based on noise levels measured for 12-inch piles (WSDOT 2019). The behavioral effects threshold for salmonids is 150 dB_{SEL}. If the threshold is in fact reached, it will be confined to about a 300-foot radius (Figure 8). The injury threshold for juvenile and adult salmonids, 206 dB_{PEAK}, will not be reached.

SPECIES PRESENCE IN THE ACTION AREA

Complete species lists for King County are attached in Appendix C. The list has been refined for species likely to be found in the Action Area. Note that strictly marine species (e.g., whales, sea turtles, rockfish) and DPSs of salmonids not found in Puget Sound or its tributaries (e.g., ESUs of salmon found in the Willamette or Columbia rivers only) were excluded from this list.

BIRDS

Yellow-billed cuckoo
Marbled murrelet
Northern spotted owl

MAMMALS

Gray wolf (western WA)
Grizzly bear

PLANTS

Whitebark Pine

FISH

Bull trout, coastal-Puget Sound IRU
Chinook, Puget Sound ESU
Steelhead, Puget Sound
Sturgeon, Green (southern DPS)
Eulachon, Pacific (southern DPS)

REPTILES-AMPHIBIANS

Oregon Spotted Frog

The shoreline in the area is heavily developed to the south, and the Mercer Slough lies to the north and east. None of the birds, mammals, plants, or reptiles listed above occur in the action area. Lake Washington is a migration corridor for many salmonid species. Anadromous salmonids spawn in tributary streams and use Lake Washington and the Ship Canal to migrate out into the Puget Sound and the Pacific Ocean. Lake Washington and its tributaries also have resident fish, including salmonids. According to WDFW, Lake Washington has documented presence of Chinook salmon, coho, steelhead, sockeye salmon and documented use by bull trout for rearing habitat.

Lake Washington is in Unit 10 designated Chinook salmon critical habitat. Lake Washington is in Unit 2 Designated Critical Habitat for bull trout.

The nearest critical habitat for marbled murrelets is over 40 miles away, with areas to the east (Cascade Mountains) and west (Olympic Peninsula). Murrelets fly over Lake Washington to reach feeding areas in Puget Sound.

The area is not used by northern spotted owls. The nearest nesting areas are more than 40 miles to the east (Cascade Mountains) and west (Olympic Peninsula). Grey wolves and grizzly

bears have not been documented in the urban area surrounding Seattle, and are more likely to be found in the Cascade foothills.

ENVIRONMENTAL SETTING WITHIN THE ACTION AREA

Project Setting

The marina shoreline is planted with a vegetation strip between the parking lot and the bulkhead. Overhanging shrubbery lines the bulkhead. The pier to be extended is accessed by foot only, by a pile-supported walkway across a scrub-shrub wetland area. Immediately north of the pier, the wetland extends about halfway to the end of the walkway, and then gives way to water lilies.

The marina and surrounding area have been subject to historical dredging. Substrates consist of sand and mud, with no aquatic vegetation within the boundaries of the marina. Water lilies are abundant north of the marina, transitioning to the Mercer Slough north and east.

Shoreline

Most of the Lake Washington shoreline is residential, with residential docks and landscaped yards. Coal Creek, Newport Creek and two unnamed creeks converge and outfall at the southern corner of the marina. South of the marina, there is a residential neighborhood development with water channels between the streets. South of that development lies Newport Beach Park, and continuing south, residential yards with docks front the shoreline, with I-405 behind the row of homes. Immediately north/northeast of the marina, the Mercer Slough and its associated wetlands abut the marina. North of the slough, the approach to the I-90 Bridge forms an interchange with Bellevue Way SE and I-405 farther east, with multiple bridges and overpasses connecting the roadways, all on concrete supports (see aerial photo, Figure 3).

Wetlands

North of the marina, a scrub-shrub wetland abuts the pier along about half its length, then the water has patches of lily pads that anchor in the substrate below.

Aquatic Resources

Lake Washington is a large lake surrounded by urbanized areas and crossed by two highway bridges with some raised and some floating sections. Lake Washington is part of the migration corridor for salmonids from freshwater tributary streams and on into Lake Union and the Lake Washington Ship Canal to the Puget Sound. Lake Washington is depth-controlled by the dam at the Hiram M. Chittenden Locks.

Lake Washington in the area surrounding the marina is listed as Category 1, Meets (Washington State Water Quality) Standards, with listings for bacteria and total phosphorus (detected but within standard parameters), and a section incorporating the southwest quadrant of the marina is Category 2 for Sediment Bioassay, with no specific contaminants listed (Ecology 2019).

ENVIRONMENTAL BASELINE CONDITIONS

Lake Washington/Cedar/Sammamish Watershed

The Lake Washington/Cedar/Sammamish Watershed, WRIA 8, is the most populated watershed in the state. This 692-square-mile watershed includes two major river systems and three large lakes, and numerous subbasins draining directly into Puget Sound. The watershed's streams support anadromous salmonids and bull trout/dolly varden. In addition, WRIA 8 includes marine shoreline that supports local anadromous salmonid stocks, as well as salmonid stocks from other Puget Sound WRIsAs.

The project area is located on the Lake Washington shoreline. Most of the Lake Washington shoreline is residential. Other uses include parks, recreational trails such as the Burke-Gilman Trail, and municipal waterfronts with marinas such as Kirkland, Bellevue, and the Newport Yacht Basin. The majority of Lake Washington residences have private piers for recreational watercraft.

The project area is not on the 303(d) list, but there is an area showing contaminated sediments (sediment bioassay) to the southwest, just beyond the outlet of Coal Creek, about a quarter mile from the project site.

Species use

Lake Washington contains both resident and anadromous (migratory) salmonids, and is connected to salmon-bearing streams. Lake Washington connects to Puget Sound through Lake Union and the Hiram M. Chittenden Locks.

The action area is used by listed bull trout, Chinook salmon, and steelhead. The area is used for migration and includes potential rearing habitat. Coal Creek and Newport Creek, whose outlets are on the southern edge of the property, have documented presence of Chinook and steelhead (and also have documented spawning of the non-listed salmonids, coho salmon and sockeye salmon). Bull trout use the lake, but are not documented to use Coal Creek or Newport Creek.

Lake Washington is within Unit 10 designated Chinook salmon critical habitat. Lake Washington is in Unit 2 Designated Critical Habitat for bull trout.

There are no WDFW Priority habitats directly associated with the project site for terrestrial species. The project area is shown to be used by resident coastal cutthroat, fall Chinook, coho, sockeye, and winter steelhead. Wetlands are mapped to the north and east of the project site (Mercer Slough Nature Park).

CONSERVATION MEASURES

Proposed work window:

July 16-31 or Nov 16-Dec 31, 2020

Other conservation measures:

Noise minimization: Piles will be driven with a vibratory hammer and impact proofing will not be necessary. The noise injury threshold to salmonids will not be reached, and the behavioral effects threshold will only be met over a small (300-ft) radius for a short time.

Grated decking will be used on the floats, reducing their effective overwater coverage. Grating also reduces available hiding places for predators. The gentler light/dark transition may also reduce salmonids' aversion to entering the space under the dock.

A floating boom will be placed around the project area while work is being done. The area inside the boom will be cleared of floating debris before the boom is removed. Spill containment and removal materials will be kept onsite.

Piles will be pulled up slowly to minimize turbidity. Piles will be removed completely or cut off 2 feet below the mudline. Holes left by pile removal will be filled, if needed, with clean sand that matches the existing substrate in texture and composition.

The derelict breakwater structure has not functioned effectively for years. Demolishing it will remove treated wood and overwater shading from the lake, and restore natural fish passage through the area.

The pumpout station furthers the goal of the Clean Vessel Act. The station will be available to the public as well as marina tenants, and may prevent unauthorized dumping of black water waste from recreational boats.

Concentration of moorage at the marina is preferable to building individual residential docks for the up-to-40-foot vessels the moorage will accommodate. It results in less overwater coverage, places it farther from the shoreline, and makes a pumpout station conveniently available to the vessel owners.

Treated piles that have been removed will be cut into 4-foot sections and disposed of at a licensed upland facility.

The work barge will not be permitted to ground out on the sediments at any time.

ANALYSIS OF EFFECTS

Direct Impacts:

Direct impacts include noise and turbidity resulting from pile removal and installation, changes to overwater coverage, and potential spills.

Noise

Noise will reach the behavioral effects threshold for salmonids for a total of up to 6 hours over a 4-day period, within a limited area (Sheet 8). Noise will not reach the injury threshold.

Turbidity

Upland soil will not be disturbed for this project. The lake bottom will be disturbed during pile removal and installation. The resulting turbidity is expected to be minor and short in duration.

Overwater Coverage

The 1,784 square feet of overwater coverage (OWC) to be removed are opaque (solid decking and non-translucent canopies). The proposed floats will be surfaced with grated decking to allow light penetration. The float tubs comprise opaque area; floats account for 1,560 square feet of the new area (total 3,536 sq ft). The remaining 1,976 square feet will be grating. The fiberglass grated decking will have 1.75" x .75" openings with 62% open space. The most popular brand of grated decking, ThruFlow, is currently rated at 47 percent light penetration (ThruFlow 2019). The grated decking reduces the effective OWC of the grated area to 1,047 square feet, for a total of square feet of effective OWC. The project results in a net decrease in effective OWC of square feet. To simplify:

Pier and moorage to be removed	1,784
Breakwater to be removed	<u>1,504</u>
Total OWC to be removed	3,288
OWC to be added	<u>3,536</u>
Net Increase in OWC	248
Float tubs	1,560
Grated decking	<u>1,976</u>
Total New OWC	3,536
Reduction for ThruFlow	<u>929</u>
Effective New OWC	2,607
Effective Decrease in OWC	681

Overwater structures can be a barrier to migration. In studies associated with the 520 Bridge Project, salmonids were found to show any of three responses to overwater coverage (Celedonia et al. 2008b in NOAA Fisheries 2017):

1. Passing under the structure without delay
2. Hesitating to go under the structure for a few seconds to 46 minutes
3. Passing under the structure multiple times

The study concluded that overwater structures are a partial, but not complete, barrier to migration.

Potential Spills

Short-term risks include the potential for petroleum spills that can occur with any equipment operation. The level of impact to the aquatic environment is expected to be minor because of the small amount of petroleum products used during typical construction of residential docks, and because of spill containment measures that will be employed should a spill occur.

Indirect Impacts:

Recreational Boating

The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The proposed vessel slips will accommodate 16 vessels of up to 40 feet in length. Six of these slips replace pre-existing slips that were damaged and removed.

It is difficult to attribute the new slips to increased boating activity because some of the vessels may have been moored at private residential docks or other, less conveniently located marinas, before being moved to the Newport Yacht Basin Association marina. There are also many boat ramps allowing boats to access the lake without being moored there. The project does, however, increase total available moorage space on Lake Washington; but does not increase the demand for boating.

CONCLUSIONS AND EFFECT DETERMINATIONS

Puget Sound Chinook Salmon (*Oncorhynchus tshawytscha*)

This project **may affect** Puget Sound Chinook salmon because:

- Underwater construction noise will occur, resulting in minor, localized behavioral shifts during these activities. Noise is not expected to reach the injury threshold.
- Minor turbidity may result from installation and removal of piles, possibly resulting in behavioral changes in any salmonids present. This turbidity would be localized, minor, and temporary.
- The project will be done during the short work window of either July 16-31 or November 16 to December 31, when juveniles are not likely to occur in the project area.
- Ten treated wood piles will be removed from the lake.

This project is **likely to adversely affect** Puget Sound Chinook salmon because:

- Replacing solid decking with grated decking will improve baseline conditions for salmon. However, overwater structures are considered partial barriers to migration because they increase outmigration times of juvenile Chinook salmon. The piles that support overwater structure, combined with the shading, provide habitat for predators. According to guidance from NMFS, maintaining overwater coverage preserves an adverse condition, and therefore constitutes an adverse effect. The amount of grating for this project, combined with mitigation breakwater removal, will reduce effective overwater shading by 681 square feet, which will improve baseline conditions.

Critical Habitat for Puget Sound Chinook Salmon

PCEs for Chinook salmon critical habitat include (paraphrased):

1. Freshwater spawning sites
2. Freshwater rearing sites
3. Freshwater migration corridors
4. Estuarine areas
5. Nearshore marine areas
6. Offshore marine areas

The action area lies in Critical habitat Unit 10. Chinook critical habitat includes the following elements: freshwater spawning sites, freshwater rearing sites, freshwater migration corridors, estuarine areas, nearshore marine areas, and offshore marine areas.

Spawning takes place in tributary streams of the Lake Washington Watershed. Chinook salmon are documented to occur in both Newport and Coal creeks, though spawning has not been observed.

The project **may affect** designated critical habitat for Puget Sound Chinook salmon because:

- Minor turbidity may result from installation of piles, but turbidity would be localized, minor, and temporary.
- Effective overwater shading will be reduced by 681 square feet, resulting in a probable increase in benthic productivity.
- Conservation measures listed in the Conservation Measures section will be used to minimize project effects.
- Construction impacts will be short in duration.

The project **is likely to adversely affect** designated critical habitat for Puget Sound Chinook salmon because:

- The adverse condition of overwater coverage will be maintained (see explanation in species effect above), affecting predator abundance (PCE 2) and migration times (PCE 3).

Puget Sound Steelhead (*Oncorhynchus mykiss*)

This project **may affect** Puget Sound steelhead because:

- Underwater construction noise will occur, resulting in minor, localized behavioral shifts during these activities. Noise is not expected to reach the injury threshold.
- Minor turbidity may result from installation and removal of piles, possibly resulting in behavioral changes in any salmonids present. This turbidity would be localized, minor, and temporary.
- The project will be done during the short work window of either July 16-31 or November 16 to December 31, when juveniles are not likely to occur in the project area.
- Ten treated wood piles will be removed from the lake.

This project is **likely to adversely affect** Puget Sound steelhead because:

- Replacing solid decking with grated decking will improve baseline conditions for salmon. However, overwater structures are considered partial barriers to migration because they increase outmigration times of juvenile salmonids. The piles that support overwater structure, combined with the shading, provide habitat for predators. According to guidance from NMFS, maintaining overwater coverage preserves an adverse condition, and therefore constitutes an adverse effect. The amount of grating for this project, combined with mitigation breakwater removal, will reduce effective overwater shading by 681 square feet.

Puget Sound Bull Trout (*Salvelinus confluentus*)

This project **may affect** Puget Sound bull trout because:

- Underwater construction noise will occur, resulting in minor, localized behavioral shifts during these activities. Noise is not expected to reach the injury threshold.
- Minor turbidity may result from installation and removal of piles, possibly resulting in behavioral changes in any salmonids present. This turbidity would be localized, minor, and temporary.
- The project will be done during the short work window of either July 16-31 or November 16 to December 31, when juveniles are not likely to occur in the project area.

- Ten treated wood piles will be removed from the lake.

This project is **not likely to adversely affect** Puget Sound bull trout because:

- Replacing solid decking with grated decking will improve baseline conditions for salmon. The amount of grating for this project, combined with mitigation breakwater removal, will reduce effective overwater shading by 681 square feet.

Designated Critical Habitat for Puget Sound Bull Trout

PCEs for bull trout critical habitat include (paraphrased):

1. Springs, seeps and groundwater flows
2. Migratory habitat
3. Abundant food base
4. Habitat complexity
5. Temperature range of 36 to 59° F
6. Substrates suitable for spawning
7. Natural hydrograph or appropriate flow control
8. Sufficient water quality and quantity
9. Few nonnative predators

Water temperatures are warmer than ideal for bull trout in the action area. Water temperatures will not be affected by the project. Migratory habitat, natural hydrograph, water quality and quantity, and substrate materials will not be affected by the project. The salmonids' food base and presence of non-native predators may be affected positively at a very local scale by the removal of overwater coverage.

The project **may affect, but is not likely to adversely affect** designated critical habitat for Puget Sound bull trout because:

- Minor turbidity may result from installation of piles, but turbidity would be localized, minor, and temporary.
- Effective overwater shading will be reduced by 681 square feet, resulting in a probable increase in benthic productivity and reduced use of the area by predators.
- Conservation measures listed in the Conservation Measures section will be used to minimize project effects.
- Construction impacts will be short in duration.

In summary:

Species and Critical Habitat Effects Determination

Species	Common Name	Effect Determination	Critical Habitat Effect Determination
<i>Oncorhynchus tshawytscha</i>	Puget Sound Chinook salmon	LAA*	LAA
<i>O. mykiss</i>	Puget Sound steelhead	LAA	N/A
<i>Salvelinus confluentus</i>	Bull trout	NLAA	NLAA

* NLAA=May Affect, Not Likely to Adversely Affect

LAA= Likely to Adversely Affect

ESSENTIAL FISH HABITAT

Essential Fish Habitat (EFH) is broadly defined by the Act (now called the Magnuson-Stevens Act or the Sustainable Fisheries Act) to include “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity”. This language is interpreted or described in the 1997 Interim Final Rule [62 Fed. Reg. 66551, Section 600.10 Definitions] -- Waters include aquatic areas and their associated physical, chemical, and biological properties that are used by fish and may include historic areas if appropriate; substrate includes sediment, hard bottom, structures underlying the waters, and associated biological communities; necessary means the habitat required to support a sustainable fishery and the managed species’ contribution to a healthy ecosystem; and “spawning, breeding, feeding, or growth to maturity” covers a species’ full life cycle.

Project Description

A new pier and float structure will be installed, approx. 3,536 square feet with 17 piles. The new structure will provide sixteen 35-to-38-foot moorage slips and a floating pumpout stations. All float decking will be grated.

Existing fixed piers, decking, covered moorage, and associated piles will be removed (approximately 1,784 square feet and 9 piles). This structure collapsed from the weight of snow in February 2019. Some of the loose debris comprising the moorage covers has been removed already; the rest will be demolished and removed.

Remnants of a derelict breakwater structure will also be removed from the area just north of the marina, totaling approximately 1,504 square feet of overwater coverage.

The project will result in a net increase of 248 square feet of overwater coverage and an increase of up to 10 square feet of pile area.

Grated decking on the new structures will reduce effective overwater coverage to a decrease of 681 square feet.

The new floats will be in water approximately 7 to 12 feet deep.

Addresses EFH for Appropriate Fisheries Management Plans (FMP)

Pacific Fisheries Management Council (PFMC). 1998a. The Coastal pelagic Species Fishery Management Plan: Amendment 8.

PFMC. 1998b. Final Environmental Assessment/Regulatory Review for Amendment 11 to the Pacific Coast Groundfish Fishery Management Plan.

PFMC. 1999. Amendment 14 to the Pacific Coast salmon plan, Appendix A. Identification and description of Essential Fish Habitat, adverse impacts, and recommended conservation measures for salmon. Available: <http://www.psfmc.org/efh.html>

Effects of the Proposed Action

i. Effects on EFH (groundfish, coastal pelagic, and salmon EFH should be discussed separately)

Because this project takes place in a freshwater lake, only salmon EFH will be affected. The project **is likely to adversely affect** Pacific Coast salmon because:

According to guidance from NMFS, maintaining overwater coverage preserves an adverse condition, and therefore constitutes an adverse effect.

The adverse effect will be minimized (and baseline conditions may be improved) by the following:

- Upland soil will not be disturbed for this project. The lake bottom will be disturbed during pile removal and installation. The resulting turbidity is expected to be minor and short in duration.
- There will be a net decrease in effective overwater coverage of 681 square feet. The full analysis of coverage is provided in the Analysis of Effects section of the BE.
- Short-term risks include the potential for petroleum spills that can occur with any equipment operation.
- The derelict breakwater structure has not functioned effectively for years. Demolishing it will remove treated wood and overwater shading from the lake, and restore natural fish passage through the area.
- The pumpout station furthers the goal of the Clean Vessel Act. The station will be available to the public as well as marina tenants, and may prevent unauthorized dumping of black water waste from recreational boats.

ii. Effects on Managed Species (unless effects to an individual species are unique, it is not necessary to discuss adverse effects on a species-by species basis)

- Noise will reach the behavioral effects threshold for salmonids for a total of up to 6 hours over a 4-day period, within a limited area (Sheet 8). Noise will not reach the injury threshold.
- While the project supports recreational boating on Lake Washington, it cannot be shown to increase boating activity because the lake can be accessed for boating without permanent moorage there.

iii. Effects on Associated Species, Including Prey Species

Foraging for rearing salmonids is present and will not be adversely affected. The substrate and shoreline structure at the waterline will remain the same. Habitat for salmonid predators will be reduced by replacing wood decking with grated decking.

iv. Cumulative Effects

The project will increase the number of boats that can be moored in the area. The project site will remain a boat pier before and after project completion. The additional moorage at the marina will not increase the amount of boating on the lake. Having additional moorage concentrated at the Marina may decrease the demand for individuals to build docks.

Proposed Conservation Measures

See Avoidance and Minimization Measures in the Biological Evaluation.

Conclusions by EFH (taking into account proposed conservation measures)

The project will slightly increase the total structure at the site; however, effective overwater coverage will be reduced by using grated decking combined with mitigation removal of a derelict breakwater structure. The project maintains adverse conditions at the site, but is adequately mitigated.

REFERENCES:

NOAA Fisheries. 2017. Biological Opinion. Integrated Restoration and Permitting Program (IRRP) for Lakes Washington and Sammamish. Consultation Number WCR-2016-5278. February 2017.

ThruFlow. 2017. <http://thruflow.com/> Web site for ThruFlow Grated Decking. Accessed December 20, 2017.

Washington Department of Fish and Wildlife (WDFW). 2016. Priority Habitats and Species. Online database. Accessed April 2018 at <http://apps.wdfw.wa.gov/phsontheweb/>

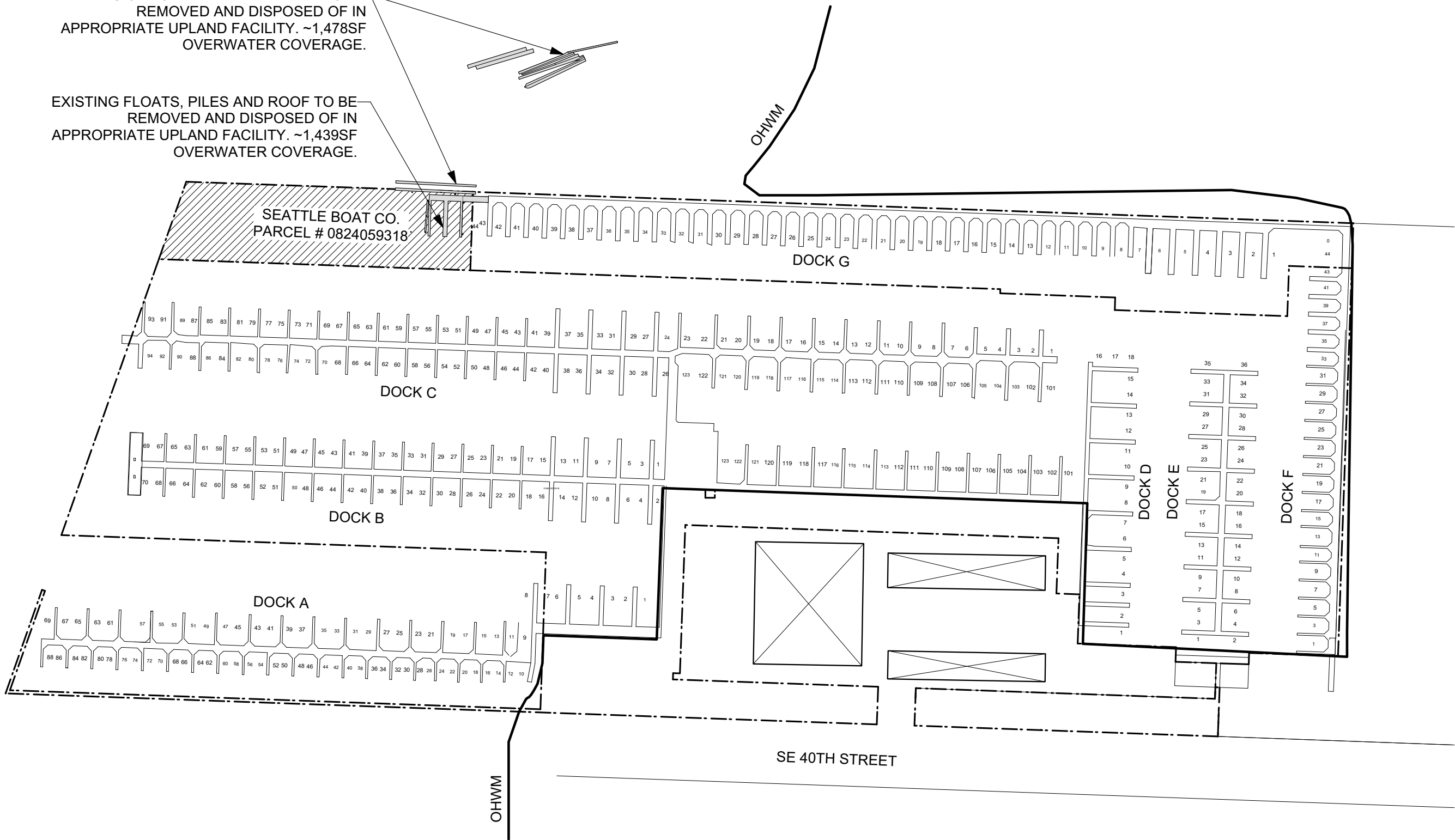
WDFW. 2018. SalmonScape. Online database. Accessed June 2018 at <http://apps.wdfw.wa.gov/salmonscape/>

Washington State Department of Transportation (WSDOT). 2018. Biological Assessment Preparation Manual. Olympia, Washington. January 2018.

Appendix A:
Figures and Project Drawings

REMNANTS OF FORMER BREAKWATER TO BE
REMOVED AND DISPOSED OF IN
APPROPRIATE UPLAND FACILITY. ~1,478SF
OVERWATER COVERAGE.

EXISTING FLOATS, PILES AND ROOF TO BE
REMOVED AND DISPOSED OF IN
APPROPRIATE UPLAND FACILITY. ~1,439SF
OVERWATER COVERAGE.

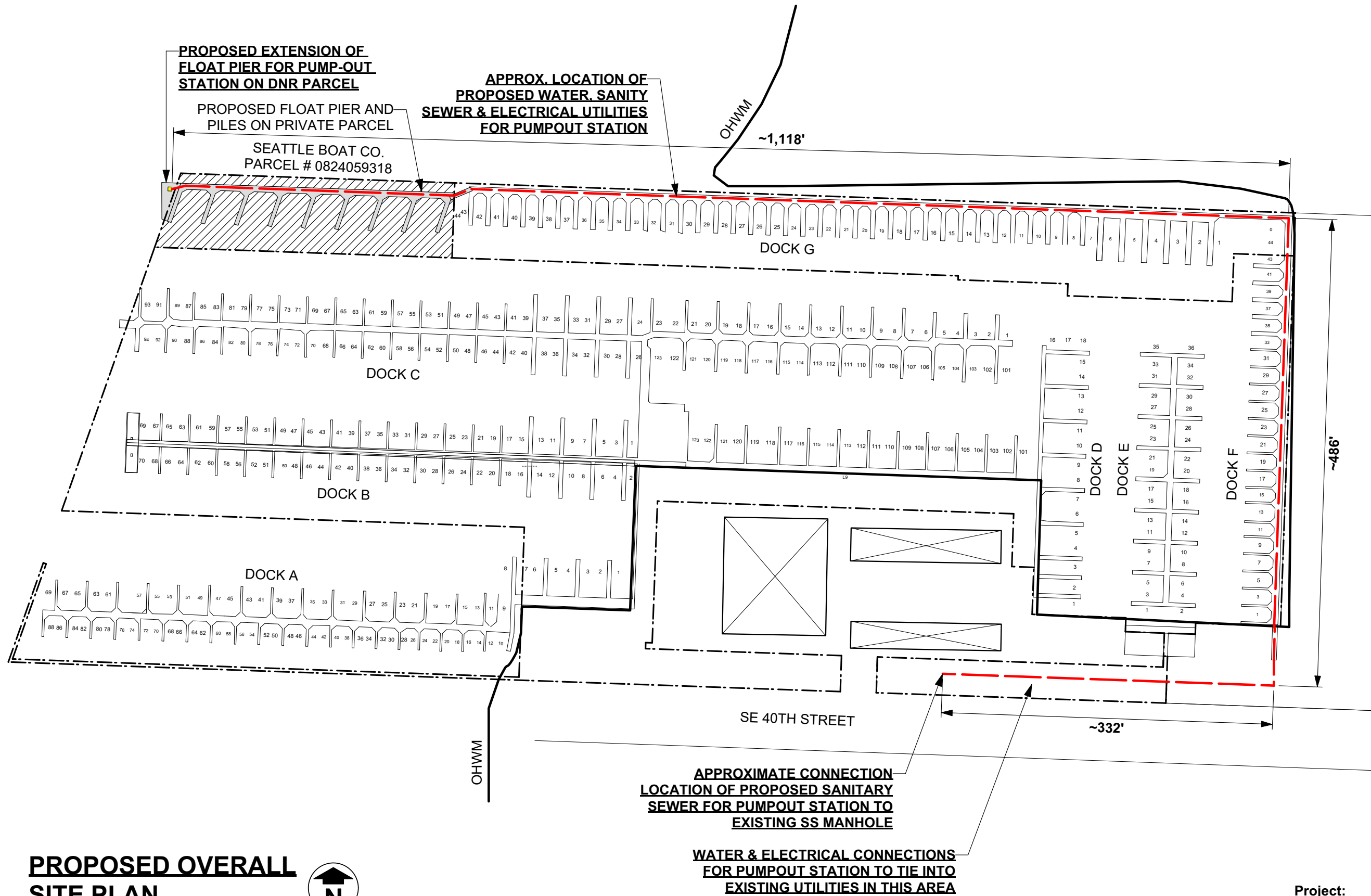


**EXISTING OVERALL
SITE PLAN**

SCALE 1" = 100'



Project: CVA Grant Proposal - Pumpout Station
For: Seattle Boat Company
Site Address: 3911 Lake Washington Blvd. SE
Bellevue, WA 98006
Tax Parcel #: 0824059318
Date: 10/30/2019
Sheet 1 of 7



Project: CVA Grant Proposal - Pumpout Station
For: Seattle Boat Company
Site Address: 3911 Lake Washington Blvd. SE
 Bellevue, WA 98006
Tax Parcel #: 0824059318
Date: 10/30/2019
Sheet 2 of 7



**PROPOSED OVERALL
SITE PLAN OVERLAY**
NOT TO SCALE

Project: CVA Grant Proposal - Pumpout Station
For: Seattle Boat Company
Site Address: 3911 Lake Washington Blvd. SE
Bellevue, WA 98006
Tax Parcel #: 0824059318
Date: 10/30/2019
Sheet 3 of 7

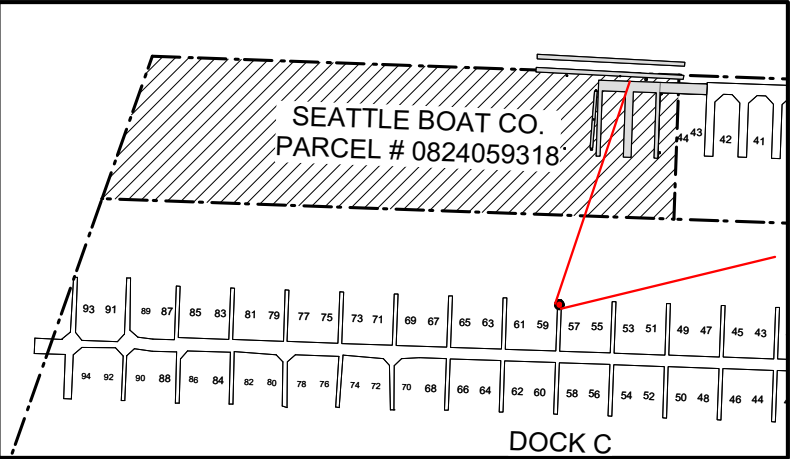


PHOTO VICINITY MAP
NOT TO SCALE



Project: CVA Grant Proposal - Pumpout Station
For: Seattle Boat Company
Site Address: 3911 Lake Washington Blvd. SE
Bellevue, WA 98006
Tax Parcel #: 0824059318
Date: 10/30/2019
Sheet 5 of 7

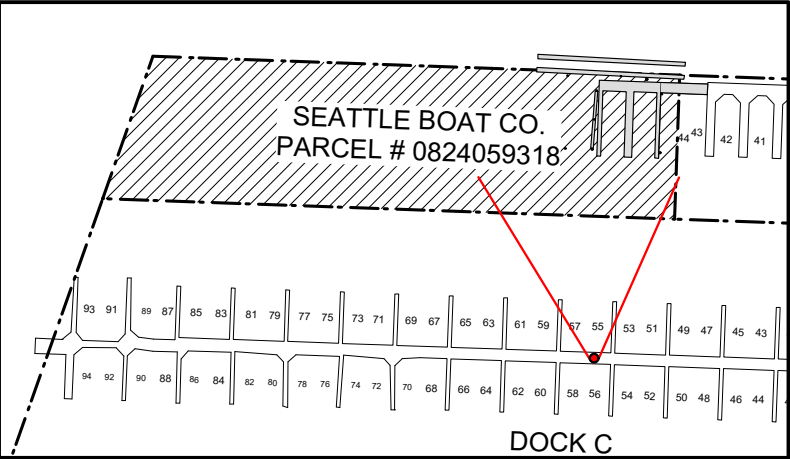


PHOTO VICINITY MAP
NOT TO SCALE



Project: CVA Grant Proposal - Pumpout Station
For: Seattle Boat Company
Site Address: 3911 Lake Washington Blvd. SE
Bellevue, WA 98006
Tax Parcel #: 0824059318
Date: 10/30/2019
Sheet 6 of 7

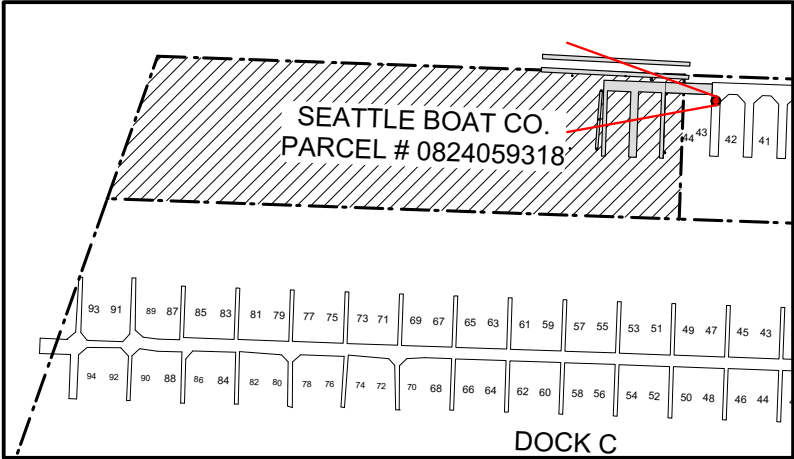


PHOTO VICINITY MAP
NOT TO SCALE

Project: CVA Grant Proposal - Pumpout Station
For: Seattle Boat Company
Site Address: 3911 Lake Washington Blvd. SE
Bellevue, WA 98006
Tax Parcel #: 0824059318
Date: 10/30/2019
Sheet 7 of 7



Fish Behavioral Effects 300-foot radius

Appendix B: Site Photographs



Derelict breakwater to be removed



Remaining debris from collapsed structure to be removed



Existing solid decking



Derelict breakwater structure

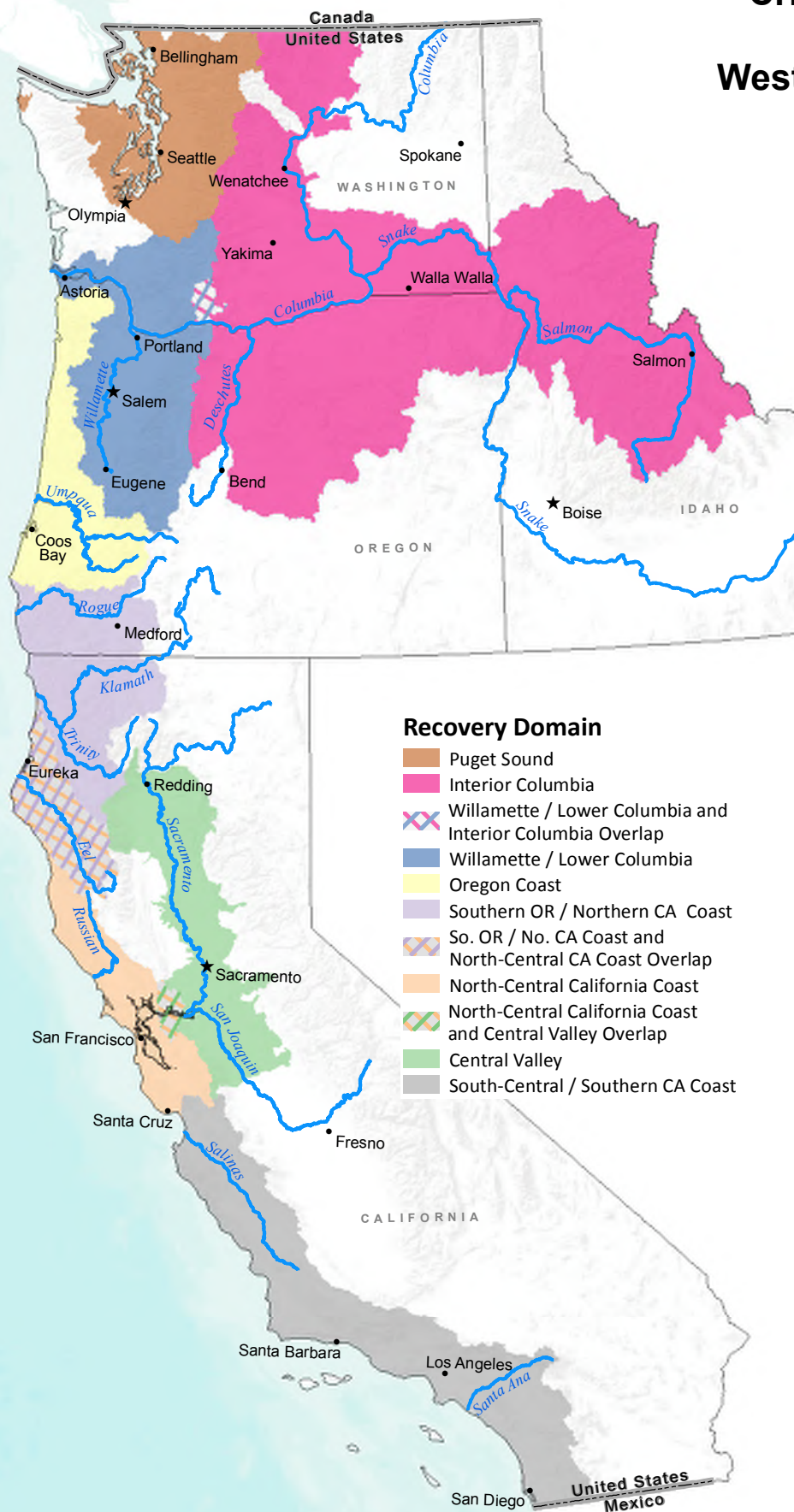


Marina with derelict breakwater (right side)



Appendix C: Species Lists

Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead



Recovery Domain

- Puget Sound
- Interior Columbia
- Willamette / Lower Columbia and Interior Columbia Overlap
- Willamette / Lower Columbia
- Oregon Coast
- Southern OR / Northern CA Coast
- So. OR / No. CA Coast and North-Central CA Coast Overlap
- North-Central California Coast
- North-Central California Coast and Central Valley Overlap
- Central Valley
- South-Central / Southern CA Coast

Evolutionarily Significant Unit / Distinct Population Segment	ESA Status	Date of ESA Listing	Date of CH Designation
Puget Sound Recovery Domain			
Hood Canal Summer-run Chum Salmon	T	3/25/1999	9/2/2005
Ozette Lake Sockeye Salmon	T	3/25/1999	9/2/2005
Puget Sound Chinook Salmon	T	3/24/1999	9/2/2005
Puget Sound Steelhead	T	5/11/2007	2/24/2016

Interior Columbia Recovery Domain			
Middle Columbia River Steelhead	T	3/25/1999 1/5/2006	9/2/2005
Snake River Fall-run Chinook Salmon	T	4/22/1992	12/28/1993
Snake River Spring / Summer-run Chinook Salmon	T	4/22/1992	10/25/1999
Snake River Sockeye Salmon	E	11/20/1991	12/28/1993
Snake River Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Upper Columbia River Spring-run Chinook Salmon	E	3/24/1999	9/2/2005
Upper Columbia River Steelhead	T	8/18/1997 1/5/2006	9/2/2005

Willamette / Lower Columbia Recovery Domain			
Columbia River Chum Salmon	T	3/25/1999	9/2/2005
Lower Columbia River Chinook Salmon	T	3/24/1999	9/2/2005
Lower Columbia River Coho Salmon	T	6/28/2005	2/24/2016
Lower Columbia River Steelhead	T	3/19/1998 1/5/2006	9/2/2005
Upper Willamette River Chinook Salmon	T	3/24/1999	9/2/2005
Upper Willamette River Steelhead	T	3/25/1999 1/5/2006	9/2/2005

Oregon Coast Recovery Domain			
Oregon Coast Coho Salmon	T	2/11/2008	2/11/2008

Southern Oregon / Northern California Coast Recovery Domain			
Southern OR / Northern CA Coasts Coho Salmon	T	5/6/1997	5/5/1999

North-Central California Coast Recovery Domain			
California Coastal Chinook Salmon	T	9/16/1999	9/2/2005
Central California Coast Coho Salmon	E	10/31/1996 (T) 6/28/2005 (E) 4/2/2012 (RE)	5/5/1999
Central California Coast Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Northern California Steelhead	T	6/7/2000 1/5/2006	9/2/2005

Central Valley Recovery Domain			
California Central Valley Steelhead	T	3/19/1998 1/5/2006	9/2/2005
Central Valley Spring-run Chinook Salmon	T	9/16/1999	9/2/2005
Sacramento River Winter-run Chinook Salmon	E	11/5/1990 (T) 1/4/1994 (E)	6/16/1993

South-Central / Southern California Coast Recovery Domain			
South-Central California Coast Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Southern California Steelhead	E	8/18/1997 5/1/2002 (RE) 1/5/2006	9/2/2005

ESA = Endangered Species Act, CH = Critical Habitat, RE = Range Extension
E = Endangered, T = Threatened

0 Miles 200

Updated July 2016

Critical Habitat Rules Cited

- 2/24/2016 (81 FR 9252) Final Critical Habitat Designation for Puget Sound Steelhead and Lower Columbia River Coho Salmon
- 2/11/2008 (73 FR 7816) Final Critical Habitat Designation for Oregon Coast Coho Salmon
- 9/2/2005 (70 FR 52630) Final Critical Habitat Designation for 12 ESU's of Salmon and Steelhead in WA, OR, and ID
- 9/2/2005 (70 FR 52488) Final Critical Habitat Designation for 7 ESU's of Salmon and Steelhead in CA
- 10/25/1999 (64 FR 57399) Revised Critical Habitat Designation for Snake River Spring/Summer-run Chinook Salmon
- 5/5/1999 (64 FR 24049) Final Critical Habitat Designation for Central CA Coast and Southern OR/Northern CA Coast Coho Salmon
- 12/28/1993 (58 FR 68543) Final Critical Habitat Designation for Snake River Chinook and Sockeye Salmon
- 6/16/1993 (58 FR 33212) Final Critical Habitat Designation for Sacramento River Winter-run Chinook Salmon

ESA Listing Rules Cited

- 4/2/2012 (77 FR 19552) Final Range Extension for Endangered Central California Coast Coho Salmon
- 2/11/2008 (73 FR 7816) Final ESA Listing for Oregon Coast Coho Salmon
- 5/11/2007 (72 FR 26722) Final ESA Listing for Puget Sound Steelhead
- 1/5/2006 (71 FR 5248) Final Listing Determinations for 10 Distinct Population Segments of West Coast Steelhead
- 6/28/2005 (70 FR 37160) Final ESA Listing for 16 ESU's of West Coast Salmon
- 5/1/2002 (67 FR 21586) Range Extension for Endangered Steelhead in Southern California
- 6/7/2000 (65 FR 36074) Final ESA Listing for Northern California Steelhead
- 9/16/1999 (64 FR 50394) Final ESA Listing for Two Chinook Salmon ESUs in California
- 3/25/1999 (64 FR 14508) Final ESA Listing for Hood River Canal Summer-run and Columbia River Chum Salmon
- 3/25/1999 (64 FR 14517) Final ESA Listing for Middle Columbia River and Upper Willamette River Steelhead
- 3/25/1999 (64 FR 14528) Final ESA Listing for Ozette Lake Sockeye Salmon
- 3/24/1999 (64 FR 14308) Final ESA Listing for 4 ESU's of Chinook Salmon
- 3/19/1998 (63 FR 13347) Final ESA Listing for Lower Columbia River and Central Valley Steelhead
- 8/18/1997 (62 FR 43937) Final ESA Listing for 5 ESU's of Steelhead
- 5/6/1997 (62 FR 24588) Final ESA Listing for Southern Oregon / Northern California Coast Coho Salmon
- 10/31/1996 (61 FR 56138) Final ESA Listing for Central California Coast Coho Salmon
- 1/4/1994 (59 FR 222) Final ESA Listing for Sacramento River Winter-run Chinook Salmon
- 4/22/1992 (57 FR 14653) Final ESA Listing for Snake River Spring/summer-run and Snake River Fall Chinook Salmon
- 11/20/1991 (56 FR 58619) Final ESA Listing for Snake River Sockeye Salmon
- 11/5/1990 (55 FR 46515) Final ESA Listing for Sacramento River Winter-run Chinook Salmon

U.S. Fish & Wildlife Service



ECOS

[ECOS](#) / [Species Reports](#) / Species By County Report

Species By County Report

The following report contains Species that are known to or are believed to occur in this county. Species with range unrefined past the state level are now excluded from this report. If you are looking for the Section 7 range (for Section 7 Consultations), please visit the [IPaC](#) application.

County: King, Washington

CSV

Need to contact a FWS field office about a species? Follow [this link](#) to find your local FWS Office.

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Amphibians	Oregon spotted frog (<i>Rana pretiosa</i>)	Wherever found	Threatened	Washington Fish and Wildlife Office			
Birds	Yellow-billed Cuckoo (<i>Coccyzus americanus</i>)	Western U.S. DPS	Threatened	Arizona Ecological Services Field Office			
Birds	Northern spotted owl (<i>Strix occidentalis caurina</i>)	Wherever found	Threatened	Oregon Fish and Wildlife Office	Revised Recovery Plan for the Northern Spotted Owl	Implementation Progress	Final Revision 1
Birds	Marbled murrelet (<i>Brachyramphus marmoratus</i>)	U.S.A. (CA, OR, WA)	Threatened	Washington Fish and Wildlife Office	Recovery Plan for the Threatened Marbled Murrelet (Brachyramphus marmoratus) in Washington, Oregon, and California	Implementation Progress	Final
Birds	Streaked Horned lark (<i>Eremophila alpestris strigata</i>)	Wherever found	Threatened	Oregon Fish and Wildlife Office	Draft Recovery Plan for the Streaked Horned Lark	Recovery efforts in progress, but no implementation information yet to display.	Draft

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Conifers and Cycads	Whitebark pine (<i>Pinus albicaulis</i>)	Wherever found	Candidate	Wyoming Ecological Services Field Office			
Fishes	Bull Trout (<i>Salvelinus confluentus</i>)	U.S.A., conterminous, lower 48 states	Threatened	Idaho Fish and Wildlife Office	Recovery Plan for the Coterminous United States Population of Bull Trout (<i>Salvelinus confluentus</i>)	Implementation Progress	Final
Flowering Plants	Showy stickseed (<i>Hackelia venusta</i>)	Wherever found	Endangered	Washington Fish and Wildlife Office	Recovery Plan for Hackelia venusta (Showy Stickseed)	Implementation Progress	Final
Mammals	Grizzly bear (<i>Ursus arctos horribilis</i>)	U.S.A., conterminous (lower 48) States, except where listed as an experimental population	Threatened	Montana Ecological Services Field Office	Revised Grizzly Bear Recovery Plan	Implementation Progress	Final Revision 1
Mammals	Grizzly bear (<i>Ursus arctos horribilis</i>)	North Cascades Ecosystem Recovery Zone	Under Review	Montana Ecological Services Field Office			

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Mammals	Gray wolf (<i>Canis lupus</i>)	U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico.	Endangered	Assistant Regional Director-Ecological Services			
Mammals	Canada Lynx (<i>Lynx canadensis</i>)	Wherever Found in Contiguous U.S.	Threatened	Montana Ecological Services Field Office	4(f)(1). Determination Regarding Recovery Planning for the Canada Lynx (Lynx canadensis).	Recovery efforts in progress, but no implementation information yet to display.	Exempt
Mammals	North American wolverine (<i>Gulo gulo luscus</i>)	Wherever found	Proposed Threatened	Montana Ecological Services Field Office			
Snails	Puget oregonian (<i>Cryptomastix devia</i>)	Wherever found	Under Review				

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Appendix A:
Figures and Project Drawings

Appendix B: Site Photographs

Appendix C: Species Lists

Appendix D:
Grating Specifications Sheet

Fibergrate® Molded Grating with 62% Open Surface Area

Are you looking for a grating solution for docks, floats, piers, gangways or other decking that meets with both ADA guidelines and ACOE requirements for an open area allowing proper light transmittance below the dock surface?

Fibergrate has multiple grating options to consider when building a dock, float, pier or gangway. Fibergrate's newest offering has been designed specifically for docks and marinas to address these guidelines and requirements.

Fibergrate® molded 1" deep grating with a 3/4" x 4" rectangular mesh surface provides a 62% open area. This exceeds the 60% minimum open area requirement set forth by the National Marine Fisheries Service and the U.S. Army Corps of Engineers for the Pacific Northwest for marine decking material light transmittance. The open area is an important factor in protecting seagrass and other shallow marine habitats beneath docks.

This product is available with different surface options for maximum slip resistance. Fibergrate not only offers an integrally applied quartz grit surface for the grating, but also an aqua grit (sugar-grit) surface that provides maximum comfort for bare feet. Fiberglass products are thermally non-conductive which also provides a comfortable walking surface unaffected by solar heat. The light weight and high strength of Fibergrate's FRP grating requires fewer supports and provides an overall lighter dock. This is an important consideration for floating docks as well as shipping and installation savings.

Fibergrate Composite Structures, the originator of molded fiberglass reinforced plastic (FRP) grating, has nearly five decades of experience manufacturing grating and other composite products. With in-house design, engineering and fabrication services, Fibergrate leads the industry in innovative solutions for numerous applications and industries. In our nearly 50 year history, Fibergrate has provided many products to marine, recreational and commercial customers. As our nation increasingly becomes more knowledgeable about our coastal and marine environments, Fibergrate has committed to producing products that will provide the best solution for both our customers and environment.

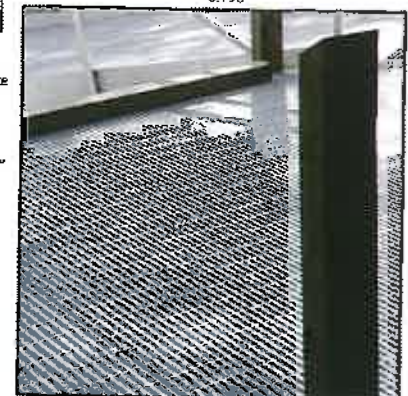
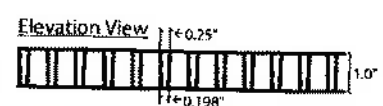
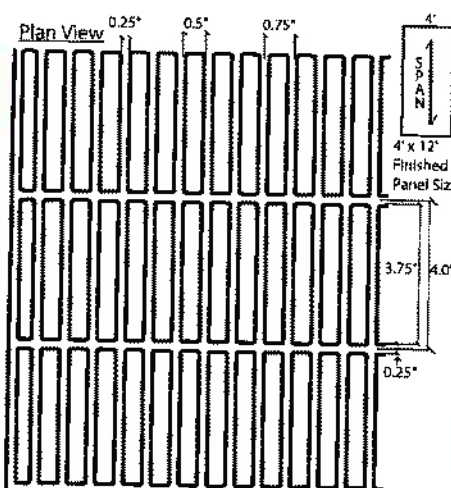
- ADA Compliant
- 62% Open Area
- Comfortable for Bare Feet
- Maximum UV Resistance
- Residential & Commercial Use

- Slip Resistant
- Corrosion Resistant
- Light Weight
- Low Maintenance
- Non-Conductive
- Storm Surge Friendly

Details

1" Deep, 3/4" x 4" Rectangular Mesh

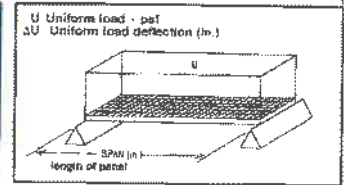
# of Bars/ Ft of Width	Load Bar Width	Open Area	Load Bar Centers	Approx. Weight
16	1/4"	62%	3/4"	3.0 psf



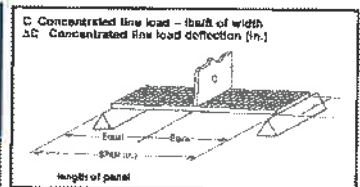
FRP Dock Grating

Load Tables - 62% Open Area Molded Grating

CLEAR SPAN (in)	UNIFORM LOAD (psf)									MAX RECOM. LOAD (lb/ft)	ULTIMATE LOAD (psf)
	50	65	100	150	200	300	500	1000	2000		
12	<0.01	<0.01	<0.01	<0.01	<0.01	0.01	0.02	0.04	0.08	2800	14040
18	0.01	0.01	0.02	0.03	0.04	0.06	0.10	0.20	0.40	1240	6200
24	0.03	0.04	0.06	0.09	0.12	0.18	0.30	--	--	700	3500
30	0.07	0.10	0.15	0.22	0.30	0.44	--	--	--	440	2200
36	0.15	0.20	0.31	0.46	--	--	--	--	--	310	1500
42	0.28	0.37	--	--	--	--	--	--	--	220	1100
48	0.48	--	--	--	--	--	--	--	--	170	800

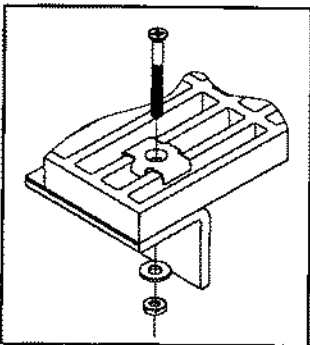


CLEAR SPAN (in)	LINE LOAD (lb/ft of width)							MAX RECOM. LOAD (lb/ft)	ULTIMATE LOAD (lb/ft)
	50	100	200	300	500	1000	2000		
12	<0.01	<0.01	0.01	0.02	0.03	0.07	0.13	1400	7020
18	0.01	0.02	0.04	0.06	0.11	0.21	0.43	930	4680
24	0.02	0.05	0.10	0.15	0.24	0.48	--	700	3510
30	0.05	0.09	0.19	0.28	0.47	--	--	560	2800
36	0.08	0.16	0.33	0.49	--	--	--	460	2340
42	0.13	0.26	--	--	--	--	--	400	2000
48	0.19	0.39	--	--	--	--	--	350	1750



NOTES:
1. All gratings were tested in accordance with the proposed standard of the Fiberglass Grating Manufacturers Council of the American Composites Manufacturers Association (ACMA).
2. Maximum Recommended Load represents a 5:1 factor of safety on Ultimate Capacity.

Clip Assembly



This 62% open area molded grating does require an E-1 Clip Assembly (shown above) to secure the grating to a structure. The WLP Clip Assembly will also work.

Additional Products

When commercial loading is required or clear spans are greater than available with Fibergrate® molded products, certain pultruded grating products are a great alternative. These products are also manufactured to meet with ACOE open area requirements for light transmittance. Fibergrate's SI60 pultruded grating offers a 60% open area. This product is available with a slip resistant grit top surface or a barefoot friendly (aqua grit) surface. SI60 pultruded grating is available in depths of 1" and 1-1/2" and comes in various standard panel sizes. SI60 also meets ADA guidelines, making it an excellent choice for public area applications. Additionally, Safe-T-Span® I6010 and I6015 pultruded grating provides high unidirectional strength and stiffness. Safe-T-Span I6010 and I6015 is also available in 1" and 1-1/2" depths with a 60% open area. The applied grit top surface allows for maximum slip resistance in wet or oily conditions.



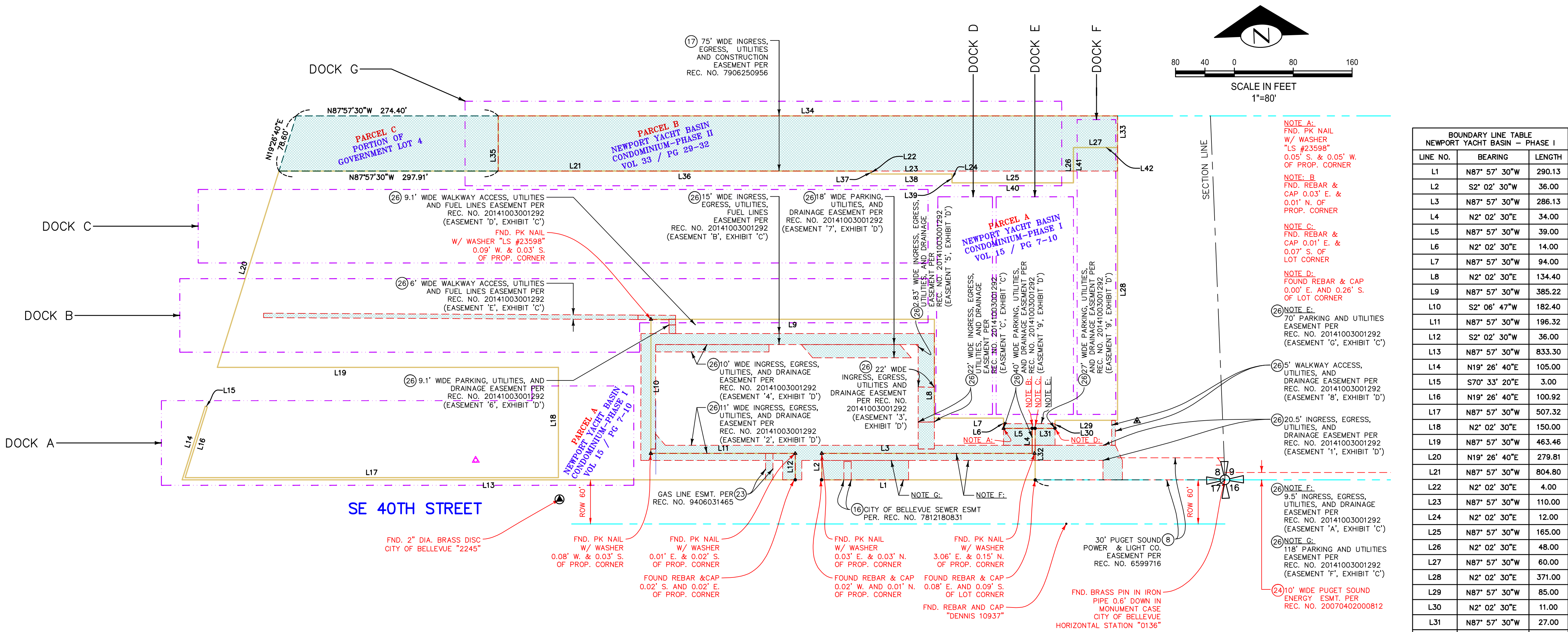
www.fibergrate.com



info@fibergrate.com

An RPM Company

Fibergrate
Composite Structures



BOUNDARY, CONTROL & EASEMENT DIAGRAM
SCALE: 1"=80'

SITE NOTES:

SITE ADDRESS:
3911 LAKE WASHINGTON BLVD. SE
BELLEVUE, WA 98040

ZONING:
R-2.5 (SINGLE-FAMILY RESIDENTIAL)

ZONING AGENCY:
CITY OF BELLEVUE
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
450 110TH AVENUE NE
PO BOX 90012
BELLEVUE, WA 98009
(425) 452-7892

SETBACKS:
CURRENT SETBACK REQUIREMENTS SUBJECT TO SITE PLAN REVIEW. CURRENT SETBACKS MAY DIFFER FROM THOSE IN EFFECT DURING DESIGN/CONSTRUCTION OF EXISTING IMPROVEMENTS.

FLOOD ZONE:
THIS SITE APPEARS ON NATIONAL FLOOD INSURANCE RATE MAP, DATED MAY 16, 1995, COMMUNITY PANEL NO. 5033500588, AND IS SITUATED IN ZONE "X", AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN.

HORIZONTAL DATUM:
NAD 83/91, CITY OF BELLEVUE; WASHINGTON STATE PLANE COORDINATE SYSTEM, NORTH ZONE. USED BELLEVUE CONTROL POINTS 0136 AND 2245.

VERTICAL DATUM:
NAVD 88, CITY OF BELLEVUE; USED BELLEVUE BENCHMARK BM NO. 60
ELEV = 20.37 FEET

PARCEL AREAS:

PARCEL A AS SHOWN CONTAINS 346,265.99 SQUARE FEET OR 7.95 ACRES, MORE OR LESS.

PARCEL B AS SHOWN CONTAINS 64,301.75 SQUARE FEET OR 1.48 ACRES, MORE OR LESS.

PARCEL C AS SHOWN CONTAINS 21,461.74 SQUARE FEET OR 0.49 ACRES, MORE OR LESS.

SUBSTRUCTURES:
BURIED UTILITIES ARE SHOWN AS INDICATED ON RECORDS MAPS FURNISHED BY OTHERS AND VERIFIED WHERE POSSIBLE BY FEATURES LOCATED IN THE FIELD. WE ASSUME NO LIABILITY FOR THE ACCURACY OF THOSE RECORDS, FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO DESIGN CONTACT THE UTILITY OWNER/AGENCY.

TELECOMMUNICATIONS/FIBER OPTIC DISCLAIMER:
RECORDS OF UNDERGROUND TELECOMMUNICATIONS AND/OR FIBER OPTIC LINES ARE NOT ALWAYS AVAILABLE TO THE PUBLIC. BRH HAS NOT CONTACTED EACH OF THE MANY COMPANIES IN THE COURSE OF THIS SURVEY, WHICH COULD HAVE UNDERGROUND LINES WITHIN ADJACENT RIGHTS-OF-WAY. THEREFORE, BRH DOES NOT ACCEPT RESPONSIBILITY FOR THE EXISTENCE OF UNDERGROUND TELECOMMUNICATIONS/FIBER OPTIC LINES WHICH ARE NOT MADE PUBLIC RECORD WITH THE LOCAL JURISDICTION. AS ALWAYS, CALL 1-800-424-5555 BEFORE CONSTRUCTION.

UTILITY PROVIDERS:

SANITARY SEWERS, STORM DRAINAGE & WATER
CITY OF BELLEVUE
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
450 110TH AVENUE NE
PO BOX 90012
BELLEVUE, WA 98009
(425) 452-6864

POWER & NATURAL GAS
PUGET SOUND ENERGY
10885 NE 4TH STREET
BELLEVUE, WA 98009
(425) 452-1234
(888) 225-5773

TELEPHONE
QWEST
PO BOX 625001
LITTLETON, CO 80162
(800) 526-3557

PARCEL DESCRIPTIONS:

PARCEL A:

UNITS 1, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 26, 29, 31, 33, 35, 38, 40, 42, 44, 47, 49, 51, 53, 54, 55, 56, 57, 58, 60, 70, 72, 74, 76, 78, 80, 82, 86, 88, 90, 92, 94, 103, 104, 105, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

EXCEPT THAT PORTION OF THE COMMON AREAS AS CONVEYED BY DEEDS RECORDED UNDER RECORDING NOS. 20130321000996 AND 20130321000997 PURSUANT TO THAT JUDGMENT, ORDER CLARIFYING PROPERTY AND APPEAL FILED IN KING COUNTY SUPERIOR COURT UNDER CAUSE NO. 08-2-31128-7.

PARCEL B:

UNIT 44, UNITS 0, 5 THROUGH 12 AND 19 THROUGH 24 AND 31 THROUGH 36 OF DOCK C, OF NEWPORT YACHT BASIN II, A CONDOMINIUM, ACCORDING TO DECLARATION THEREOF RECORDED JUNE 25, 1979 UNDER KING COUNTY RECORDING NO. 7906250958 AND AMENDMENT (S) THEREOF. SAID UNIT IS LOCATED ON SURVEY MAP AND PLANS FILED IN VOLUME 33 OF CONDOMINIUMS, AT PAGES 29 THROUGH 32, IN KING COUNTY, WASHINGTON.

PARCEL C:

THAT PORTION OF GOVERNMENT LOT 4, AND OF SHORELANDS ADJOINING IN SECTION 8, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF S DOCK OF NEWPORT YACHT BASIN II, A CONDOMINIUM, ACCORDING TO DECLARATION THEREOF RECORDED JUNE 25, 1979 UNDER KING COUNTY RECORDING NO. 7906250958 AND AMENDMENT (S) THEREOF. SAID UNIT IS LOCATED ON SURVEY MAP AND PLANS FILED IN VOLUME 33 OF CONDOMINIUMS, AT PAGES 29 THROUGH 32, IN KING COUNTY, WASHINGTON, AND EASTERLY OF THE INNER HARBOR LINE, AND LYING BETWEEN THE NORTH AND SOUTH BOUNDARY LINES OF SAID CONDOMINIUM EXTENDED WESTERLY.

LOT SUMMARY TABLE

LOT NO.	TAX ACCOUNT NO.	LOT NO.	TAX ACCOUNT NO.	LOT NO.	TAX ACCOUNT NO.
1A	607340-0010-09	50B	607340-0050-01	6D	607340-2250-04
10A	607340-2970-03	58B	607340-0650-04	7D	607340-2260-02
11A	607340-2980-01	60B	607340-0670-00	10D	607340-2290-06
12A	607340-2990-09	113B	607340-2560-09	19E	607340-2560-09
13A	607340-3000-05	114B	607340-0910-00	1F	607340-2740-02
14A	607340-3010-03	115B	607340-3020-08	3F	607340-2750-09
15A	607340-3020-01	116B	607340-0930-00	11F	607340-2790-01
16A	607340-3030-09	121B	607340-0980-05	13F	607340-2800-09
17A	607340-3040-07	122B	607340-0990-03	15F	607340-2810-07
18A	607340-3050-04	123B	607340-1000-09	35F	607340-2910-06
19A	607340-3060-02	24A	607340-3260-02	37F	607340-2920-04
20A	607340-3070-00	39C	607340-1400-05	39F	607340-2930-02
22A	607340-3090-06	70C	607340-1710-00	41F	607340-2940-00
24A	607340-3110-02	72C	607340-1730-06	43F	607340-2950-07
26A	607340-3130-08	74C	607340-1750-01	44F	607341-0010-08
28A	607340-3160-01	76C	607340-1770-07	46C	607341-0020-06
31A	607340-3180-07	78C	607340-1790-03	50C	607341-0070-05
33A	607340-3200-03	80C	607341-1810-09	60C	607341-0080-03
35A	607340-3220-09	82C	607340-1830-05	70C	607341-0090-01
38A	607340-3250-02	86C	607340-1870-06	86C	607341-0100-09
40A	607340-3270-08	89C	607340-1900-00	90C	607341-0110-07
42A	607340-3290-04	90C	607340-1910-08	100C	607341-0120-05
44A	607340-3310-00	92C	607340-1930-04	12C	607341-0140-01
47A	607340-3340-04	94C	607340-1950-09	19D	607341-0210-06
49A	607340-3360-09	103C	607340-1990-01	20C	607341-0220-04
51A	607340-3380-05	104C	607340-2000-07	21C	607341-0230-02
53A	607340-3400-01	105C	607340-2010-05	22C	607341-0240-00
54A	607340-3410-09	114C	607340-2100-06	23C	607341-0250-07
55A	607340-3420-07	115C	607340-2110-04	24C	607341-0260-05
56A	607340-3430-05	116C	607340-2120-02	31C	607341-0330-01
57A	607340-3440-03	117C	607340-2130-00	32C	607341-0340-09
58A	607340-3450-00	118C	607340-2140-08	33C	607341-0350-06
60A	607340-3470-06	119C	607340-2150-05	34C	607341-0360-04
70A	607340-3570-05	120C	607340-2160-03	35C	607341-0370-02
72A	607340-3580-03	121C	607340-2170-01	36C	607341-0380-00
74A	607340-3590-01	123C	607340-2190-07		
76A	607340-3600-09				

PARCEL C 082405-9317-05
PARCEL C 082405-9318-07

TITLE REPORT REFERENCE:

THIS SURVEY WAS CONDUCTED ACCORDING TO THE DESCRIPTION SHOWN, FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-859576-WAY, DATED JULY 17, 2017. THE EASEMENTS SHOWN OR NOTED HEREON RELATE TO THIS COMMITMENT.

NOTE: EASEMENTS CREATED OR RESCINDED AFTER THIS DATE ARE NOT SHOWN OR NOTED HEREON.

TITLE REPORT SCHEDULE B EXCEPTIONS:

ITEMS CIRCLED ARE SHOWN ON MAP.

6. RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON RECORDED SEPTEMBER 21, 1910 UNDER RECORDING NO. 706143, RESERVING ALL OIL, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING THE SAME.

7. EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:

RECORDING INFORMATION: JUNE 21, 1963 UNDER RECORDING NO. 5603206

IN FAVOR OF: PUGET SOUND POWER AND LIGHT COMPANY, A WASHINGTON CORPORATION
FOR: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM
AFFECTS: COMMON AREA

8. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS:

RECORDED: DECEMBER 16, 1969
RECORDING NO.: 6599716

9. EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:

RECORDING INFORMATION: JUNE 20, 1977 UNDER RECORDING NO. 7706200637

IN FAVOR OF: PUGET SOUND POWER AND LIGHT COMPANY, A WASHINGTON CORPORATION
FOR: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM
AFFECTS: COMMON AREA

10. CONDITIONS, NOTES, EASEMENTS, PROVISIONS CONTAINED AND/OR DELINEATED ON THE FACE OF THE SURVEY RECORDED DECEMBER 21, 1977 UNDER RECORDING NO. 7712210915 IN VOLUME 15 OF SURVEYS, AT PAGE(S) 7 THROUGH 10, IN KING COUNTY, WASHINGTON.

(AFFECTS PARCEL A)

11. TERMS, PROVISIONS, REQUIREMENTS AND LIMITATIONS CONTAINED IN THE HORIZONTAL PROPERTY REGIMES ACT, CHAPTER 156, LAWS OF 1963 (RCW 64.32) AS NOW AMENDED OR AS IT MAY HEREAFTER BE AMENDED.

OR AS IT MAY HEREAFTER BE AMENDED.

12. TERMS, PROVISIONS, COVENANTS, CONDITIONS, DEFINITIONS, OPTIONS, OBLIGATIONS AND RESTRICTIONS CONTAINED IN CONDOMINIUM DECLARATION AND AS MAY BE CONTAINED IN THE BY-LAWS ADOPTED PURSUANT TO SAID DECLARATION:

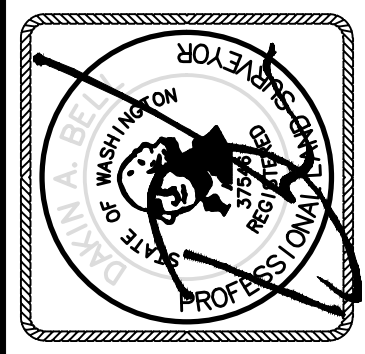
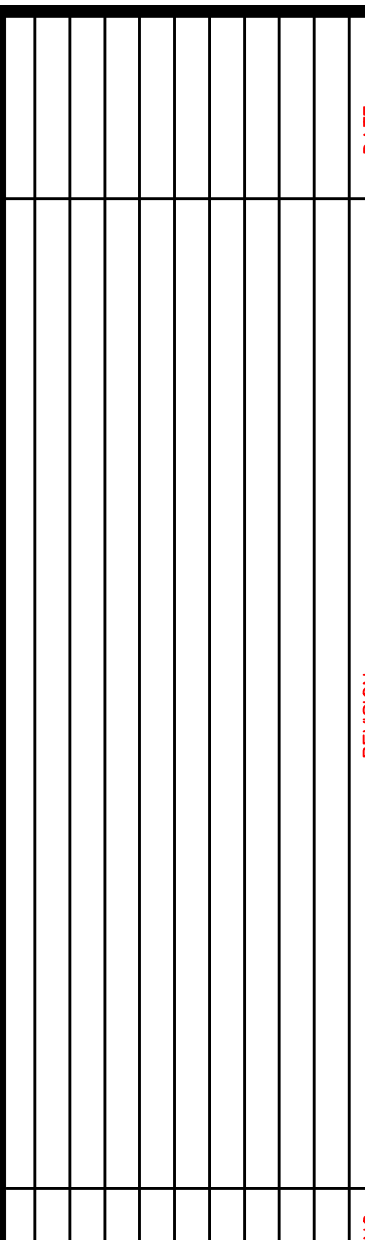
RECORDING INFORMATION: JANUARY 17, 1978 UNDER RECORDING NO. 7801171011

DOCUMENT(S) DECLARING MODIFICATIONS THEREOF RECORDED AUGUST 2, 1978 AND JUNE 25, 1979 AS RECORDING NOS. 7806202937 AND 7906250955 OF OFFICIAL RECORDS. DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR NEWPORT YACHT BASIN, A CONDOMINIUM RECORDED UNDER RECORDING NO. 20140402000488, SAID INSTRUMENT PURPORTEDLY MERGES NEWPORT YACHT BASIN PHASE I AND NEWPORT YACHT BASIN PHASE II INTO ONE SINGLE CONDOMINIUM NAMED NEWPORT YACHT BASIN, A CONDOMINIUM.

(AFFECTS PARCEL A)

13. ANY ASSESSMENT NOW OR HEREAFTER LEVIED UNDER THE PROVISIONS OF THE CONDOMINIUM DECLARATION OF NEWPORT YACHT BASIN, A CONDOMINIUM, OR ANY AMENDMENT(S) THEREOF, OR UNDER THE BY-LAWS ADOPTED PURSUANT TO SAID DECLARATION.

(AFFECTS PARCEL A)



BUSH, ROED & HITCHINGS, INC.
LAND AND SURVEYORS & CIVIL ENGINEERS

2009 MINOR AVE. EAST
SEATTLE, Washington
98102-3513

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1-800-935-0508
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WASHINGTON

SEATTLE BOAT CO.
3911 LAKE WASHINGTON BLVD SE
KING COUNTY

BELLEVUE

drawn by	checked by
GLD	DAB

scale	date
1"=40'	09/11/17
job no.	

2007239-13
2 2

sheet 2 of 2

SEPA Environmental Checklist

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions

The checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully and to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions.

You may respond with "Not Applicable" or "Does Not Apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays. For assistance, see [SEPA Checklist Guidance](#) on the Washington State Department of Ecology website.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The city may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Background

Seattle Boat Float Pier

1. Name of proposed project, if applicable _____
2. Name of applicant _____
3. Contact person _____ Phone _____
4. Contact person address _____
5. Date this checklist was prepared _____
6. Agency requesting the checklist _____

Development Services Department

20-104907 WG - Seattle Boat Float Pier
SEPA Review: Kenneth George 4.7.2020

7. Proposed timing or schedule (including phasing, if applicable)

8. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? If yes, explain.

9. List any environmental information you know about that has been prepared or will be prepared, that is directly related to this proposal.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

11. List any government approvals or permits that will be needed for your proposal, if known.

Shoreline Substantial Development
Permit - City of Bellevue

12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and the section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Parcel Number: 0824059317

Environmental Elements

Earth

- General description of the site:
 - ☐ Flat
 - ☐ Rolling
 - ☐ Hilly
 - ☐ Steep Slopes
 - ☐ Mountainous
 - ☐ Other _____
- What is the steepest slope on the site (approximate percent slope)? _____

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

5. Describe the purpose, type, total area and approximate quantities and total affected area of any filling, excavation and grading proposed. Indicate the source of the fill.

6. Could erosion occur as a result of clearing, construction or use? If so, generally describe.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? _____

No additional
impervious surfaces
proposed upland.

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

	BMP for erosion and sediment control measures are required per BCC 23.76.
--	---

Air

1. What types of emissions to the air would result from the proposal during construction, operation and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

--

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

--

3. Proposed measures to reduce or control emissions or other impacts to air, if any.

	Construction dust mitigation measures required per BCC 23.76
--	--

KMG
4.7.2020

Water

1. Surface Water

- a. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- b. Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

- c. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of the fill material.

- d. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose and approximate quantities, if known.

- e. Does the proposal lie within a 100-year floodplain? _____
If so, note the location on the site plan.

FEMA FIRM Panel
#53033C0654K &
53033C0658K

KMG
4.7.2020

- f. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

2. Ground Water

- a. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

- b. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

KMG
4.7.2020

3. Water Runoff (including stormwater)

- a. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

- b. Could waste materials enter ground or surface waters? If so, generally describe.

- c. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Indicate any proposed measures to reduce or control surface, ground and runoff water, and drainage pattern impacts, if any.

KMG
4.7.2020

Plants

1. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other _____
- ☐ evergreen tree: fir, cedar, pine, other _____
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards or other permanent crops
- ☐ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other _____
- ☐ water plants: water lily eelgrass, milfoil, other _____
- ☐ other types of vegetation _____

2. What kind and amount of vegetation will be removed or altered?

3. List any threatened and endangered species known to be on or near the site.

4. Proposed landscaping, use of native plants or other measures to preserve or enhance vegetation on the site, if any.

KMG
4.8.2020

5. List all noxious weeds and invasive species known to be on or near the site.

Animals

1. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: ☐hawk, ☐heron, ☐eagle, ☐songbirds, ☐other _____

Mammals: ☐deer, ☐bear, ☐elk, ☐beaver, ☐other _____

Fish: ☐bass, ☐salmon, ☐trout, ☐herring, ☐shellfish, ☐other _____

2. List any threatened and endangered species known to be on or near the site.

3. Is the site part of a migration route? If so, explain.

4. Proposed measures to preserve or enhance wildlife, if any.

KMG
4.8.2020

5. List any invasive animal species known to be on or near the site.

Energy and Natural Resources

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Environmental Health

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

- a. Describe any known or possible contamination at the site from present or past uses.

- b. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

- c. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

KMG
4.8.2020

- d. Describe special emergency services that might be required.

- e. Proposed measures to reduce or control environmental health hazards, if any.

2. Noise

- a. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Noise associated with construction of the project. See Biological Assessment, prepared by Northwest Environmental Consulting, LLC dated January 2020.

- b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

- c. Proposed measures to reduce or control noise impacts, if any.

Construction noise shall comply with the requirements of BCC 9.18

Land and Shoreline Uses

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to non-farm or non-forest use?

- a. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling and harvesting? If so, how?

3. Describe any structures on the site.

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4. Will any structures be demolished? If so, what?

5. What is the current zoning classification of the site? _____

Single-Family Residential
District (R-2.5)

6. What is the current comprehensive plan designation of the site? _____

Single-Family
Medium-Density (SF-M)

7. If applicable, what is the current shoreline master program designation of the site?

Recreational Boating on Subject Site
Urban Conservancy - Open Space on
the mitigation site to the north (Mercer
Slough Nature Park).

8. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Shoreline Associated Wetlands on the
breakwater removal on the Mercer
Slough Nature Park site to the north.

9. Approximately how many people would reside or work in the completed project? _____

10. Approximately how many people would the completed project displace? _____

11. Proposed measures to avoid or reduce displacement impacts, if any.

12. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

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13. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any.

Housing

1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

3. Proposed measures to reduce or control housing impacts, if any.

Aesthetics

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

2. What views in the immediate vicinity would be altered or obstructed?

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3. Proposed measures to reduce or control aesthetic impacts, if any

Light and Glare

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

2. Could light or glare from the finished project be a safety hazard or interfere with views?

3. What existing off-site sources of light or glare may affect your proposal?

4. Proposed measures to reduce or control light and glare impacts, if any.

Recreation

1. What designated and informal recreational opportunities are in the immediate vicinity?

2. Would the proposed project displace any existing recreational uses? If so, describe.

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3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

Historic and Cultural Preservation

1. Are there any buildings, structures or sites located on or near the site that are over 45 years old listed in or eligible for listing in national, state or local preservation registers located on or near the site? If so, specifically describe.

2. Are there any landmarks, features or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

3. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Compliance with Inadvertent
Discovery regulations required: RCW
27.44.055, 68.50.645 & 68.60.055

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4. Proposed measures to avoid, minimize or compensate for loss, changes to and disturbance to resources. Please include plans for the above and any permits that may be required.

Transportation

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

3. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Subject to parking requirements for boat moorage.

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

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5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

8. Proposed measures to reduce or control transportation impacts, if any.

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Public Service

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

2. Proposed measures to reduce or control direct impacts on public services, if any.

Utilities

1. Check the utilities currently available at the site:

- ☐ Electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer
- ☐ septic system
- ☐ other

2. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

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4.8.2020

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature _____

Name of signee _____

Position and Agency/Organization _____

Date Submitted _____

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4.8.2020



Non-project Action SEPA Checklist

Supplement to Environmental Checklist

These questions pertain to land use actions that do not involve building and construction projects, but rather pertain to policy changes, such as code amendments and rezone actions.

Because the questions are very general, it may be helpful to read them in conjunction with the Environmental Checklist. When answering these questions, be aware of the extent to which the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.

Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Indicate proposed measures to avoid or reduce such increases.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

Indicate proposed measures to protect or conserve plants, animals, fish or marine life.

3. How would the proposal be likely to deplete energy or natural resources?

Indicate proposed measures to protect or conserve energy and natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains or prime farmlands?

Indicate proposed measures to protect such resources or to avoid or reduce impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Indicate proposed measures to avoid or reduce shoreline and land use impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Indicate proposed measures to reduce or respond to such demand(s).

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

FW: Permit #20-104907 WG

From: Alan Bohling (alan@seattleboat.com)
To: troy@eccodesigninc.com
Cc: tcampbell@seattleboat.com; jbohling@seattleboat.com
Date: Monday, May 3, 2021, 04:21 PM PDT

Troy,

Below is an email Kyle Anderson, President of Newport Yacht Basin Association, sent to the City of Bellevue.

This was a remaining hurdle that is resolved for now.

Thanks,

Alan

ALAN BOHLING

Seattle Boat Co.

p: 425.641.2090 ext 3100

From: Kyle Anderson <kyle@baratza.com>
Sent: Monday, May 3, 2021 3:45 PM
To: George, Kenneth <KGeorge@bellevuewa.gov>; Alan Bohling <alan@seattleboat.com>
Subject: Re: Permit #20-104907 WG

Hi Kenneth,

Sorry for my delay in getting back to you in this matter. Please accept the below as my written "letter" to keep the permitting process moving forward for Alan:

Kenneth,

Responding to the below e-mail, on behalf of the board of the Newport Yacht Basin Association ("NYBA"), we acknowledge that NYBA is aware of the land use application filed by Seattle Boat with the City of Bellevue under Permit # 20 104907. The permit application relates to the development of a floating pier and public pump-out station ("Project") adjacent to the existing NYBA marina. We are also aware that the application contemplates the proposed use of the NYBA F Dock to access the Project. NYBA and Seattle Boat have been negotiating the terms of that use but have not yet finalized any such agreement. NYBA has no objection to the above referenced application being reviewed by the City of Bellevue at this point in time, understanding that an agreement will need to be finalized between NYBA and Seattle Boat prior to final permitting of the Project.

Best regards,

Kyle

Kyle Anderson, President

Baratza LLC

1940 124th Ave NE

Ste A108

Bellevue, WA 98006

www.baratza.com

From: "George, Kenneth" <KGeorge@bellevuewa.gov>
Date: Friday, April 9, 2021 at 1:24 PM
To: Alan Bohling <alan@seattleboat.com>
Cc: Kyle Anderson <kyle@baratza.com>
Subject: RE: Permit #20-104907 WG

Hello Alan,

I just found this email buried so I apologize I never responded. The best way to describe what I'm looking for is a simple letter or email from NYBA. I don't necessary need any documents. As you've point out, the shoreline permits are simply the land use review portion of the project. This is not a construction permit, which will come after land use approval.

George, Kenneth

From: Kyle Anderson <kyle@baratza.com>
Sent: Monday, October 26, 2020 1:54 PM
To: George, Kenneth
Subject: Seattle Boat New docks/Piers

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hi Kenneth,

I am the president of Newport Yacht Basin Association, which is adjacent to the proposed new project Seattle Boat has applied for permits on. Since Seattle Boat does not have legal access to the proposed project area, Alan Bohling has been in conversations with me and other Board members to discuss pedestrian access as well as utilities (water , power and sewer). In reviewing the applications before the COB and DNR we have noticed a number of misrepresentations and errors that we feel need to brought to your attention.

First off this is NOT a project that NYBA is a co-applicant on. With the exception of proposed (but not allowed) utilities, there are no improvements proposed on any NYBA property. The tax parcel ID on the application is incorrect as this is the tax ID for NYBA property. There is mention in the permits that the “project location” is slip C-70 in NYBA. This is totally not true. There is mention of a dimension of distance between C dock and the proposed new Seattle Boat dock, that is “dictated by agreement with NYBA”. No agreement has been completed. We have discussed this dimension as part of the bigger discussion around granting an easement to Seattle Boat for access and utilities across F dock (Seattle Boat has **none** of these rights as of now). To say the least, the NYBA Board is quite surprised to see how far along this permitting process has gone without the real parcel having legal access.

I would be happy to have a call with you to further discuss these and other issues that we feel misrepresent the scope of this proposed development.

Regards,

Kyle

Cell: 425-442-9617

Kyle Anderson, President
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